Bombay Gazette.

PUBLISHED TWICE A WEEK—ON WEDNESDAY AND SATURDAY MORNING—PRICE RUPEES THIRTEEN PER QUARTER.

VOL. XLVI.] SATURDAY, NOVEMBER 14, 1835. [No. 2,535.

1. THE Right Hon'ble the Governor will hold a Levee in the Town Hall, on Monday the 16th of November, at 11 o'clock.—Gentlemen are requested to bring Cards. The native officers will be introduced at 1 o'clock by their commanding officers.

2. The Right Hon'ble the Governor will hold a Durbar in the Town Hall, at 2 o'clock on Monday the 16th of November.

3. The public breakfasts will recommence (at Malabar Point) on Tuesday the 17th of November, at 9 o'clock, and will continue on the Tuesdays and Fridays of each week, until further notice. Gentlemen intending to be present, will have the goodness to send their names to the Town Major's office, or to the Aide-de-camp in waiting, by 4 o'clock on the preceding day.

4. All persons desiring to have an audience with the Right Hon'ble the Governor at other times, will be pleased to communicate their wish to the Private Secretary, stating the subject of their business, either to him, or in a sealed note addressed to the Governor, and the Private Secretary will appoint an hour for their reception.

O. FELIX, *Private Secy.*

Government House, 11th Nov. 1835.

Lady Grant will be happy to receive Visitors on Mondays, in the morning, and on Thursdays, from 4 to 7 in the evening.

C. DAVIDSON, Lieut.
A. D. C.

ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that letters of Administration of the Goods, Chattles, rights, and Credits of CHARLES YORKE, late a Lieutenant in the Corp of Artillery of the East India Company, on their Bombay Establishment deceased, may be granted to WILLIAM FENWICK, Esquire, the Registrar of the said Court, all persons concerned therein, are hereby apprized thereof.—Dated this 5th day of November, 1835.

H. E. SOUTHOUSE,
Proctor.

SALE BY AUCTION.
BECK AND CO.

ON Tuesday next 17th instant, will submit for public outcry, and sell off chiefly without limits, the following collection of Goods viz., the remains of an Invoice of Oilmans Stores comprising Sauces of sorts, Pickles, Mustard, Sallad Oil, Olives &c. &c. from Powell and Brown, a few fashionable London made Dress and Surtout Coats and Waistcoats, China Curtain Gauze, Satin and Lustring, Window Blinds, Silk Socks, &c. 50 dozens Boxes of Europe tooth Powder; 200 dozens, of pewter Table and dessert Spoons, 40,000 fluted and plain percussion Gun Caps, a few gross of large and Small Corks slightly damaged, Sundry Wines and Liquors, a variety of useful Household Furniture, and at 1 P. M. any vehicles, Horses, and other Cattle that may offer.

Apollo House, 14th Nov., 1835.

ADVERTISEMENT.

SEALED TENDERS, (post paid) will be received by the Acting Quarter Master of the 6th Royal Regiment, until the 30th of November, to supply the following Articles for the use of the Regiment (at Colabah), for twelve months from 1st January 1836.

Green Tea, per lb.
Black do. do.
Coffee, do.
Sugar, per Maund.

The above articles to be of good quality, and the Tenders to be accompanied by samples.

The articles to be delivered at the Head Quarters of the Regiment at Colabah, free of all additional expense or charge whatever, and to be at the risk of the Contractor until he receive a receipt from the Quarter Master, and all supplies condemned by a Committee of three Officers to be at the risk of, and replaced by the Contractor.

J. G. WILSON, Lieut.
Act. Qr. Master, 6th Royal Regt.

Camp Deesa, 31st Oct. 1835.

NOTICE.

THE Public are hereby informed, that the interest and reponsibility of MR. MANSFIELD FORBES in our establishment, ceased on the 31st July, 1835.

REMINGTON and CO.
Bombay, 14th, Nov., 1835.

JUST Published, Sermons by the Revd. E. P. WILLIAMS, A. M. Chaplain on the Bombay Establishment.

Price seven Rupees per copy.

Copies may be had at Mr. MALVERY'S Library, Church lane.

Bombay, Nov. 14th, 1835.

PROSPECTUS.

TO be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, Containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies *five Rupees each*, will be delivered upon Publication.

Gazette Office, 14th Novr., 1835.

FOR SALE.—Respondentia Bonds, each..... Rs. 1
Ships Articles..... „ 1
Policies of Insurance..... qrs. 2
Bills of Exchange, per set..... „ 2
Interest Bonds..... „ 2
Bills of Lading..... „ 2
Powers of Attorney, each..... „ 2

☞ All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.

*Gazette Office, 14th Novembe*r, 1835.

FOR PASSAGE TO ENGLAND.

THE HERO OF MALOWN, 500 Tons, will sail on the 1st December touching at the Cape of Good Hope, and calling at Cork for orders. Carries a Surgeon. Apply to Captain GRUNDY on board, or at Messrs. DIROM, CARTER AND CO'S. office, where plans of the accommodations may be had.

Bombay, 14th November, 1835.

FOR FREIGHT AND PASSAGE TO LONDON.

THE "MARQUIS OF HASTINGS" JOHN CLARKSON, Commander, expected here in all November, and will be dispatched on 1st January—carries a Surgeon.—Plans of her accommodation may be had at the Office of Messrs. McGREGOR, BROWNRIGG AND CO.

Bombay, 14th Nov., 1835.

MARINE DEPARTMENT.

NOTICE

Is hereby given, that the date for the departure of the steam ship "Hugh Lindsay," on her second voyage to Suez this season, has been altered to the 18th of March.

By order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

Bombay Castle, 10th November, 1835.

REWARD,
OF 1,000 RUPEES.

Whereas, on the 4th day of November instant, the body of a Mussulman, named Bisharut Khan, was found at Worlee, which exhibited marks of violence; and whereas, on the 7th day of November instant, the coroner's inquest having closed, the jury returned the following verdict:—

"Wilful murder against a certain Bhya, name unknown,"

A reward of 1,000 rupees will be paid to any person or persons, who shall give information which may lead to the apprehension and conviction of the murderer of the said Bisharut Khan.

The following is a discription of the Bhya.

Height.—5 feet 5 inches.
Colour.—copper.
Age.——25 to 30.
Dress—White jacket and dhoter, white cloth round his head, as worn by men of Hindoostan.
Cast.—Bhya, or Purdesse.
Marks.—Curly hair on his temples, large black whiskers and short hair on his chin.
Trade.—Blacksmith.

JOHN WARDEN,
Senior Magte. of Police.

Bombay, 11th November, 1835.

NOTICE.

Memorandum of the gross quantity of opium, for which passes have been granted from Bombay and Malwa for the season 1835.—36.

BOMBAY.

Passes taken out up to the 4th instant.	.. chests 2,572
Ditto from 5th instant to this day..	.. 135
	Chtss 2,707

MALWA.

Passes taken out up to the 26th ultimo	chests 162
Ditto on 27th ditto to the 4th instant..	689
	Chests 851

J. TAYLOR,
Warehousekeeper.

Bombay, 11th November, 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT.

Bombay Castle, 3rd November, 1835.

No. 537 of 1835;—Brevet captain J. Hobson, of the regiment of European infantry, is allowed a furlough to Europe for three years, agreeably to the regulations.

No. 538 of 1835.—The following native promotion is made:—

2nd or grenadier regiment native infantry.

Color havildar Issery Sing to be jemedar, *vice* Lotun Sing dismissed by the sentencc of a general court martial.—*Date of rank*, 25th July 1835.

No. 539 of 1835,—The following temporary arrangements are confirmed:—

Lieutenant J. F. Frederick, of the 18th regiment native infantry, to conduct the duties of the commissariat department at Kulladghee, from the 18th ultimo, until further orders.

Ensign E. Baynes, of the 20th regiment native infantry, to act as adjutant to the left wing of the 12th regiment native infantry, and to receive charge of the remount depôt at Rajcote, from the 1st ultimo, during the absence of lieutenant Baldwin on sick certificate, or until further orders.

No. 540 of 1835.—The undermentioned officers, cadets of the season 1819, are promoted to the brevet rank of captain, from the dates specified opposite their names:—

Lieutenant T. H. Otley, 26th regiment native infantry.. .. .. } 6th October, 1835.
Lieutenant H. H. Hobson, 20th regt. native infantry.. .. .. } 6th October, 1835.
Lieutenant N. Strong, right wing European regiment.. .. .. } 6th October, 1835.

No. 541 of 1835.—Lieutenant H. Stamford, of the horse artillery, is allowed a furlough to Europe for three years, agreeably to the regulations.

No. 542 of 1835.—The following alterations and promotions are made:—

17th regiment native infantry.

Captain T. Probyn, having resigned on the 10th April 1834, prior to his promotion on the 27th November 1834, his commission of captain to be cancelled, and captain H. Macan to take rank, *vice* Kingston deceased.—*Date of rank*, 27th November, 1834.

Adjustment of rank.

Lieutenant S. Macan, (deceased) to take rank, *vice* Probyn resigned,—10th April 1834.

Lieutenant T. T. Christie to take rank *vice* Macan promoted,—27th Novr. 1834.

Lieutenant J. Anderson to take rank, *vice* Pottinger killed,—18th Feby. 1835.

Lieutenant W. H. Godfrey to take rank, *vice* Macan deceased 30th July 1835.

Promotion.

Lieutenant D Davidson to be captain and ensign C. Manger to be lieutenant, in succession to Billamore deceased, 20th Augt. 1835.

No. 543 of 1835.—Captain J. S Grant, assumed charge of the office of executive engineer at Poona on the 12th ultimo, and captain W. B. Goodfellow that of the executive engineer at Ahmednuggur, on the 22nd ultimo.

No. 544 of 1835.—Assistant surgeon John Bourchier, M. D. attached to the irregular horse in Cutch, is permitted to proceed to the Deccan, with leave of absence for one month, for the benefit of his health.

Bombay Castle, 4th November 1835.

No. 545 of 1835.—Lieutenant colonel Dickenson, chief engineer, is permitted to proceed to Kandalla, with leave of absence for one month, from the 10th ultimo.

Bombay Castle, 6th November 1835.

No. 546 of 1835.—The following extract from a letter from the Honorable the Court of Directors, dated the 10th of June last, No. 35 is published for general information.

Para I. We have granted ensign Charles William Prother, of your establishment, an extension of furlough for six months.

2. The undermentioned officers have been permitted to return to their duty on your establishment.

Lieutenant colonel J. Sherriff, in July.
Lieutenant Robert W. Horne,
Lieutenant H. C. Morse.

3. We have granted major J. W. Aitchison, of your establishment, an extension of leave for the space of six months.

No. 547 of 1835.—Captain C. H. Dalemain, of the 3rd regiment light cavalry, is allowed a furlough to Europe, for the benefit of his health.

Bombay Castle, 7th November 1835.

No. 548 of 1835.—The attention of government having been drawn to the necessity which exist, that medical officers whose duties bring them into constant intercourse with the natives of the country should possess some colloquial knowledge of the Hindoostanee, Mahratta or Guzerattee languages, the Right Hon'ble the Governor in Council is pleased to declare as follows:

No medical officer shall henceforth be permanently appointed to the medical charge of a native regiment, to that of a civil station, to the office of vaccinator, to that of surgeon to any of the political residencies, or to any other medical charge with the exception of those in the naval branch of the military service, without having passed an examination in one at least, of the Hindoostanee, Mahratta, or Guzerattee languages.

It not being in contemplation to insist upon a greater knowledge of the native languages than is required for the efficient discharge of the duties confided to the medical officer, the examination will have in view such a colloquial command of the language as may suffice for that object, and will not include any of the exercises prescribed as tests of a higher degree of proficiency.

At whatever station two or more qualified interpreters are present, there, by order of the general commanding the division, a committee may be assembled for the purpose of such examination as aforesaid; such committee to consist of two interpreters, and of the commanding officer of the regiment.

These regulations will not interfere with the temporary appointment of medical officers to any charge when the exigencies of the service require it; but a medical officer so appointed, will be removed from such charge after a lapse of six months, should he not then be able to pass the requisite examination, and should there be a qualified officer to take his place.

The operation of these regulations will be entirely prospective, and will not now or at any future time affect the medical officers at present permanently posted to native regiments, or any of the other situations above specified.

These regulations are not to be understood as lessening the inducement to medical officers to submit themselves to the higher examination as now constituted at the presidency. An examination passed before the committee there, will remove the necessity of going before any other committee, and will in addition be considered by the Right Honorable the Governor in Council, as highly to the credit of the individual.

All former regulations on this subject are cancelled.

Bombay Castle, 7th November, 1835.

No. 549 of 1835.—It having been brought to the notice of the Right Honorable the Governor in Council, that it has hitherto been the practice under this presidency, to assign pensioned European soldiers who are permitted to remain in India, stipends equal to their full pay while serving, His Honor in Council is pleased to direct that, such practice be discontinued, and that in accordance with the rules in force in Bengal, such European soldiers pensioned in future, as remain in India, will receive no higher rate of stipend than would, under the existing regulations, be assigned to them, if they went to England.

Bombay Castle, 9th November, 1835.

No. 550 of 1835.—Captain W. C. Manesty, of the 8th regiment native infantry, is allowed a furlough to Europe, for the benefit of his health.

By Order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 9th November 1835.

No. 65 of 1835—Commander J. Wilson, is appointed controller of the dock yard, boat master and agent for transports.

Lieutenant Williams, is appointed to act for commander Wilson, during his absence.

By order of the Right Hon'ble the Governor in Council
E. M. WOOD, Lieut. Col.
Secy. to Govt.

CIVIL APPOINTMENTS &c.

ECCLESIASTICAL DEPARTMENT.

Bombay Castle, 5th November 1835.

The Right Honorable the Governor in Council has been pleased to grant the reverend J. Stevenson junior minister of St. Andrew's church, leave on private affairs, to proceed to Poona, from the 1st to the 15th instant.

Bombay Castle, 7th November 1835.

The Right Honorable the Governor in Council has been pleased to grant the reverend J. Jackson, A. M. chaplain of Surat and Broach, leave of absence on private affairs, for a period of one month, from the date of his departure, to visit the presidency.

POLITICAL DEPARTMENT.

Bombay Castle, 7th November 1835.

Mr. J. A. Dunlop, acting political agent at Dharwar, received charge of that office, on the 26th ultimo, from Mr. A. N. Shaw.

Bombay Castle. 9th November 1835.

Captain J. Outram, of the 23d regiment native infantry, employed on a mission to the Mahee Caunta.

is permitted to visit the presidency on urgent private affairs.

Bombay Castle, 10th November 1835.

Mr. J. P. Willoughby, political agent in Katteewar is appointed secretary to Government, in the political, secret, and judicial departments, in the room of Mr. Norris.

Bombay Castle, 11th November 1835.

Lieutenant W. Lang, to be acting political agent in Kattywar.

By order of the Right Honorable the Governor in Council,
W. H. WATHEN,
Secy. to Govt.

TERRITORIAL DEPARTMENT.
REVENUE.

Bombay Castle, 7th November 1835.

Mr. A. W. Jones, to be assistant to the principal collector of Poona, and placed in charge of the Barsee talooka.

Mr. C. Price, to act as second assistant to the collector of Rutnagherry.

Mr. H. J. Blackiston, assistant to the principal collector of Poona, is allowed one month's leave of absence, on sick certificate.

Mr. Alexander Elphinston, acting collector and magistrate of Thanah, received charge of that collectorate on the 28th ultimo, from Mr. G. H. Pitt.

JUDICIAL DEPARTMENT.

Bombay Castle, 6th November 1835.

The sunnud issued by the sudder adawlut, to Rao Sahib Ragoba Sudasheo, on the 3rd September last, appointing him principal native commissioner at Hoobly, and published on the 17th of the same month, has been cancelled, and another has been issued to him under date the 26th ultimo, appointing him to the principal native commissionership at Nassick, in the zillah of Ahmednuggur.

The sudder adawlut has also issued commissions on the 26th ultimo, appointing Azum Sucaram Yeshwunt, junior native commissioner at Ahmednuggur, and Sucaram Bajee, junior native commissioner at Nassick, in the zillah of Ahmednuggur.

Mr. H. Woodcock, assistant register to the court of suder dewanee and sudder foujdaree adawlut, to act as asistant judge and session judge of Tanna.

Bombay Castle, 7th November 1835.

Mr. J. B. Simson, judge and session judge of Dharwar, is allowed one month's leave from the end of the present month, to visit the presidency, on urgent private affairs, under the provisions of section XIV. of the absentee regulation.

Bombay Castle, 9th November 1835.

Lieutenant T. H. Brown, fort adjutant at Asseerghur, is appointed to act as 2nd in command of the Bheel corps, during Captain Outram's absence in Guzerat.

The Right Honorable the Governor in Council is pleased, under the provision of section XIV. of the absentee regulation, to sanction Mr. J. S. Law, acting assistant judge and session judge of Ahmedabad, having exceeded by four days the prescribed time for travelling to Ahmedabad.

Mr. W. E. Frere, assumed charge of his appointment, as acting register of the sudder dewanee and sudder foujdaree adawlut, on the 2nd instant.

By order of the Right Honorable the Governor in Council,
E. H. TOWNSEND,
Actg. Sect. to Govt.

CORRESPONDENCE.

COL. KENNEDY'S TREATISE ON MARTIAL LAW.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—In writing the editorial note annexed to my letter of the 8th instant, inserted in the last Gazette, it does not seem to have occurred to you that, to decide whether the challenge made to the president of a General Court Martial rests on legal grounds or not, no discussion is requisite. For this is a point which must be determined according to the rules of law, and not according to the opinions of the members of the Court Martial. In ascertaining, therefore, whether the challenge is well-founded, there can be no objection to the president being present and giving his vote and opinion on the question, as it is not one of a personal nature, and as its decision ought not to depend on the view taken of it by either the president or the members. It seems, also, evident that, unless it was competent for a General Court Martial to exercise the power of receiving or rejecting a challenge made to the president, much inconvenience might be occasioned to the public service, as an officer about to be tried might offer, for the purpose of delaying the trial, or merely of giving trouble, groundless objections to the president, and thus render requisite a reference to the authority by whom the Court was convened. The deciding, consequently, on the validity or invalidity of such challenge is a power necessarily vested in a General Court Martial, but it must restrict its decision to the legality or illegality of the causes assigned, and it cannot enter into an enquiry into the grounds on which the challenge is made, as it remains for that authority to ascertain, in such manner as he may deem expedient, whether or not the challenge rests on sufficient grounds. The presence, therefore, and voting of the president in such case can be productive of no material detriment, for, should the Court decide erroneously, or possibly under the influence of the president, reject a legal challenge made to him, it must still be recorded with the cause of its rejection, on the proceedings, and thus the illegality would come under the notice and rectification of the Commander in Chief.

But it may be said that in a recent case at Poonah the president took upon himself to reject a legal challenge made to him on his own authority, and without allowing it to be either recorded on the proceedings, or the Court to give any opinion with respect to its validity. To which all that need be answered is, that the president on that occasion arrogated to himself an undue assumption of authority, not vested in him either by law or by the custom of Courts Martial; and that the members of the Court were extremely blameable for having submitted to such an improper usurpation of their functions as judges, and for having allowed a question of so much importance to be disposed of otherwise than by the majority of the votes of the MEMBERS—among whom in such case the PRESIDENT is most unquestionably included.

I am, Sir, Your obedient servant.

11th November, 1835. V. K.

HAS THE COMPANY A RIGHT TO CONTROL THE CONDUCT OF A EUROPEAN IN AN INDEPENDENT NATIVE STATE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—There are many evils arising from the legislating on matters with which the legislature are not well acquainted, and the appointing persons to carry laws into execution who have neither mental nor acquired capacity to fit them for that important duty; and of those I may instance the case of the late Indian charter, and the various provisions it contains. Those causes combined compel the public to think for themselves, and where they are not able, whether from want of habits of business, or legal knowledge, to comprehend the precise intention of the legislature, they are obliged to apply to some other source for information, as they can have no confidence in the judgement or acts of those whose especial duty it is in this country to decide such points, and still less can they depend on the soundness of their judgment.

There is a point in which I have taken an interest, from hearing it canvassed some very short time since by parties who, if they did not know it, ought to know it, and that is; whether a European not in the service,—say now in Bombay, has a right to proceed to and tarry in an independent native state—say Sattara, or any other place having merely a British representative in it, as is customary (both places are named for my hypothesis) without the license of Government, and whether the Government has any right to control his conduct there, or to order, according to the good old custom practised by the little petty tyrants who have occasionally strutted their while, and played their part on the Indian boards, his deportment from that country?

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There is more in this question than may meet the eye, and if you or any of your legal correspondents or readers can answer it, and give me such authority for the opinion that I can depend on, I shall expose to the public as pretty a piece of ignorance, stupidity, and incapacity, and maliciousness, and intended tyranny, on the part of certain functionaries, as has graced your pages or that of any other Journal in India for some time back, as I deem it but right that the public should know how to estimate the characters of those in whom, to a certain extent, they are obliged to place their

TRUST.

BOMBAY, *12th Nov.*, 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—It was remarked of the Founder of "the New Jerusalem," that he had the happy art of bringing the talents of all, who possessed any, into full operation. These he guided and directed; and you seldom found him at variance with general opinion. No man's good name or reputation suffered under him. Hence the universal and cordial feeling entertained for him, and he must have a faulty head, and, in fact, be an unfit Person to rule, who, by his evil acts, outrages the reasonable wishes and opinions of the society connected with him.

Had the unfortunate subject of the accompanying brief memoir been guided by the sound principles and rules of an Elphinstone, his descendants, pursuing the policy and the judicious course of their sire, might now have occupied the British throne. The unhappy variances, produced by this ill advised Monarch, ought to be a warning to all in power; for whether he be high in authority or of moderate degree, none ought, in their acts, to oppose the general interests or neglect the promotion of any desirable objects to the community: and he who counsels a deviation from these rules, lacketh

JUDGEMENT.

BOMBAY, *12th November*, 1835.

THE FATE OF CHARLES I.

The life of man is but the interchange of joy and sorrow, of expectation and disappointment. The palpitations of the heart become alternately the lively quivering of hope, or the quick vibrations of fear. To day the prospect of futurity is fair and promising, to-morrow it may be overcast with sorrow, or by some untoward circumstance be totally destroyed.

A melancholy instance of this changeful state of existence, accompanied by the cares and troubles that attend misfortune, the annals of this great empire afford us, in the person of the unfortunate Charles I.

We are not about to relate all the numerous and interesting occurrences of this king's reign, which would be infringing on the province of "English history," but shall confine ourselves to the last sad incident of his life, and a few other circumstances that immediately preceded it;

After the royalists had been defeated at Naseby, and a variety of disasters had befallen that unfortunate monarch, two parties showed themselves among his enemies,—the parliament, and the army; and, as it was of importance to each to obtain possession of the king's person, a detachment of the army hastened forward, and obliged the king to attend them. Charles, during the contentions of these two bodies, enjoyed more liberty than he lately had done, and was emboldened by this circumstance to attempt his escape. He left Hampton Court in the middle of the night, and proceeded as far as the Isle of Wight, where he put himself under the protection of Hammond, the governor. This man was a creature of Cromwell's; therefore, instead of assisting Charles, he confined him in Carisbrook Castle. The wretched monarch endured many vicissitudes, and those who visited him in Hurst Castle, whither he had since been conveyed, were shocked at the manifest change which appeared in their unhappy sovereign. Being deprived of social converse, he had entirely neglected his person; his hair was long and dishevelled, and had even become grey, not by the hand of time alone, but by the iron rod of affliction. His dress and his visage both indicated adversity and decay; and while venerable even in distress, he extorted compassion from his very adversaries.

Several proposals were made to him for accommodating the differences that existed between himself and the parliament, and as often were they rendered nugatory, though the king acceded to almost every demand, except the abolition of episcopacy. Shortly after, the opposition of the parliament to the army was put an end to by means very unceremonious, as well as very unconstitutional. Colonel Pride, who was formerly a drayman, surrounded the House of Commons with troops; and he suffered none of the members to enter, that were considered by his party to be refractory. The House was occupied by about sixty members only, the most desperate of the independents; and Cromwell, at whose instance these proceedings happened, took his seat among them, and received the thanks of the "House" for his great services. This flagrant violation of the liberties of parliament, was commonly known by the name of Colonel Pride's *purge*. While sitting, this daring few ordered a committee to draw up a charge against their sovereign. This charge was of high treason to his people; and, in accordance with the directions of Cromwell, the unhappy monarch was conveyed to London under a strong guard. It was further ordered, that he should no longer be treated as a sovereign; therefore all ceremony, and every external sign of royalty, was laid aside. On the 20th of January 1649, the Court of Justice for this unprecedented trial began to sit. It consisted of a hundred and thirty-three persons, who were nominated by the commons, but, from the general aversion to these violent proceedings, that prevailed among the more respectable of the people, no more than seventy attended. Cromwell, Ireton, Harrison, and all the chief officers of the army, most of whom were of very mean birth, were members, together with some few citizens of London. Bradshaw, a lawyer, was elected president, and Coke acted as solicitor-general. The Court sat in Westminister Hall, and, on the day appointed, Charles was conducted thither to take his trial.

Though long detained a prisoner, the monarch still sustained the dignity of king. With a stern and haughty air he surveyed the members of the Court, and then, without moving his hat, sat down in the chair provided for him. The solicitor-general now opened the charge, which represented that Charles Stuart, being admitted King of England, and entrusted with a limited power, from a wicked design to establish an arbitrary and tyrannical government, had traitorously and maliciously made war upon the parliament and the people, and was therefore accused as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the impeachment was finished, the president addressed himself to the king, and informed him that the Court expected his answer.

Charles supported by his innate courage the majesty of a monarch, and, with great temper, entered upon his defence by at once declining the authority of the court. He represented that he was himself the king and fountain of law; and as such, therefore, could not be tried by laws, to which he had never given his assent; that having been entrusted with the liberties of the people, he would not now betray them, by recognizing a power founded in usurpation; that he was willing, before a proper tribunal, to enter into the particulars of his defence; but that before *them* he must decline.

Bradshaw, in order to support the authority of the court, insisted that they had received their power from the people, the source of all right; and by his vehement and overbearing conduct, and continued interruptions, the king was prevented from making a reply. Three several times Charles was brought before the court, and as often did he decline the authority of its jurisdiction, and supported his refusal by clear and cogent arguments. At length the court resolved to proceed to hearing evidence against him; and on the proof that he had appeared in arms against the parliament's forces, sentence of death was pronounced against him. Upon hearing this, the king desired to be admitted to a conference with the two houses; the court, however, rejected his request, and only three days were allowed him to prepare for his unhappy fate. As he left this execrable tribunal, the soldiers were instigated to cry out, "Justice and execution." They also heaped upon him the most cruel and bitter reproaches, blew into his face the smoke of tobacco, and one miscreant even went so far as to spit in his face. These barbarous insults the king bore with exemplary patience, and with his wonted calmness proceeded to the place of his confinement. The interposition of foreign powers in his favour, and the generous attempts of some of his own ministers to save him, by taking all the blame of his actions upon their own heads, were all in vain.

Charles passed the three days allowed him between the condemnation and execution in religious exercises, and in tender interviews with his dear children and his friends. The court, at the request of Charles, permitted him to be attended in his private devotion by Dr. Juxon, late bishop of London, who, by his worthy and pious exertions, greatly contributed to the peace and comfort of the unhappy monarch. At the sight of his children, two of whom only were in England at this time, the devoted king wept over them and kissed them. He took his dear little infants, and putting them one on each knee, gave them both the most prudent advice, and many sensible and pious exhortations. He charged the princess Elizabeth to tell the queen her mother, that during the whole course of his life he had never once, not even in thought, swerved from his fidelity towards her, and that his conjugal affection, and his life should have the same duration. He then embraced his darling little son, the duke of Gloucester, a child of about three years of age. "My dear child," said he, "they will cut off thy fathers head;—yes, they will cut off my head, and make thee a king. But mark what I say; thou must not be a king, while either of thy brothers, Charles, or James, is alive. They will cut off their heads when they can take them, and thy head too at last, and therefore I charge thee, do not be made a king by *them*." The little innocent bursting into tears, replied." I will be torn in pieces first." Charles now placed his children from his knees, and after fervently imploring the Almighty to shower down blessings on those forlorn babes, as well as the rest of the children, he kissed them, and then, with heartfelt emotion, hinted for their removal.

When the fatal morning arrived, the king rose early, and calling one of his attendants, he desired him to exercise more care than usual in dressing him for this so solemn an occasion. The space before Whitehall was the spot chosen for his execution, and on the 30th of January, attended by his friend and servant, Dr. Juxon, he was led to the scaffold, which had been erected against the Banqueting House. There, after addressing the people round him, with all the composure of conscious innocense, he pronounced a short ejaculation, laid his head upon the block, and received the fatal stroke.

Thus died Charles I. of England. He was a prince of comely appearance, robust and well proportioned in body, and of middling stature: but his countenance bore the aspect of deep melancholy. He possessed an excellent understanding, acute penetration, and good judgment; his taste for the liberal arts was refined by study and experience: and he was a general patron to those who excelled in the different sciences. As to his private virtues few kings have been more distinguished. He was temperate, chaste, and pious; kind, generous, and affectionate; and his life, upon the throne, was such, indeed, as he would have led, had he occupied a condition the least exposed to the temptations of power and splendour. Yet, unhappily for himself, he had the misfortune to occupy the throne, when old and new principles were so equally opposed, and the desire of change so vehemently froward, that a shock of some kind was unavoidable. The high maxims of royalty in which he had been educated, ill-suited the taste of his people, who, misguided by factious leaders, sought but *specious* liberty and but the *shadow* of equality.

Charles I. died in the forty-ninth year of his age, and the twenty-fourth of his reign. From his devotedness to the *constitution*, as it then existed and from his sacrificing his life to uphold the prerogative of the crown, he has justly been styled "*The martyr.*"

By his queen he left six children: Charles, prince of Wales, who succeeded him; James, duke, of York, afterwards James II.; Henry, duke of Gloucester, who died after the Restoration, "Mary, who espoused the prince of Orange; Elizabeth, who, while confined in Carisbrook castle, died of grief; and Henrieita Maria, who married Philip, duke of Orleans, brother to Louis XIV., king of France.

Pinnock's Guide.

DOMESTIC OCCURRENCES.

MARRIAGE.

At Surat on Thursday the 5th November, by the Rev. James Jackson, A. M., Henry Young Esq. Junior, Bombay Civil Service, to Elizabeth Mary, second daughter of the late Captain Keays, of H. M's. 47th Regt.

DEATHS.

At Bombay, in his family house, in Tod Street, after a lingering illness of nearly one month, in the 49th year of his age, HORMASJEE BHICKAJEE MEHRJEE, senior Partner in the late firm of BHICKAJEE MEHRJEE and Co. His gentleness of manner and goodness of disposition, will give his disconsolate widow and family, and numerous circle of friends and relations, much to regret at his loss. By all of them he was greatly respected and popularly treated.

At Caliana, on Salsette, on Sunday the 8th inst., Reverend Mr. Francisco de Annunciaçaõ, very much regretted by his relations and friends.

MILITARY ARRIVALS.

ARRIVALS.

Lieut. Col. Dickenson, Engineers, from Kandalla.

Capt. Graham, Engineers.

2d Lieut. P. D. Hart, from Kirkee.

Cornet F. F. Taylor, 3d Regt. Lt. Cavy., from Surat.

Lieut. Whitehead, 12th Regt. N. I., from Ahmedabad.

Capt. Parr, 7th Regt. from the Deckan.

Surgeon Patch, Ditto, from Ditto.

Cadet S. Hunt, Infantry, from Singapore.

DEPARTURES.—None.

SHIPPING REPORT.

ARRIVALS.

Nov. 12th.—Barque Betsy, G. S. Jones, Master, from Singapore 17th September, touched at Malacca.

Passengers.—A. Hunt, Cadet, Mr. C. Neyse, and Child, and one Malay Convict.

DEPARTURES.

Nov. 10th.—The E. I. C. Armed Steamer Hugh Lindsay, J. H. Wilson Esq., Commander, to the Red Sea.

Passengers,—Mrs. Norris, Charles Norris Esq. Chief Secy. to Government, James Henderson Esq. C. S., Mansfield Forbes Esq. Merchant, Capt. H. G. Roberts, 13th Regt., Capt. J. E. Williams, 1st R. M. N. I., Lieut. R. Knox, of the 4th Dragoons, Lieut. G. J. Huband, do. do., William Jeaffreson Esq. Civil Oculist, Ensign Travers, 23rd Regt. N. I., Lieut. H. Stamford, Horse Artillery, Capt. C. H. Delamain, 3rd Cavalry, Lieut. C. Sharp, I. N., and Mr. Murphy.

Do. 11th.—Ship Princess Charlotte, Free Trader, J. McKean, Master, to Allepie and Liverpool.

Passenger.—Doctor G. Knox, H. M. 20th Regiment.

HIGH WATER TABLE.

Nov. 1835.	A. M.	P. M.
14th Saturday	4 16	4 40
15th Sunday	5 8	5 37
16th Monday	6 14	6 51
17th Tuesday	7 28	8 6

TO CORRESPONDENTS.

A FREEMASON'S letter had better be sent to the publication in which that which it notices, appeared. NIL ADMIRARI, NO VOLUPTUARY, WILSONIAN, and the letter (without signature) which criticises the Notification by Government in reference to the conduct of Capt. Wilson and Lieut. Pope on Capt. Simpson's Commit tee, all declined.

If the writer of the last letter would favor us with a call at the Gazette Office, we might be able to undeceive him on more points than one connected with that committee, as we had occasion to know a little more of the particulars than he seems to do. Should this suit his purpose, and if he will make certain alterations in his communication which will make it more a defence of a just cause, than of parties, then we shall willingly give it a place.

THE GAZETTE.

SATURDAY, NOVEMBER 14, 1835.

THE arrival since our last, has been the

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ship *Betsy*, G. S. Jones Master, from Singapore, 17th September, touching at Malacca.

Passengers per Betsy,—Messrs. A. Hunt, Cadet, C. Neyse, and Child, and one Malay convict.

A GENERAL ORDER by the Commander in Chief of India, published at Calcutta on the 12th ultimo, lays down a doctrine which we think is open to very grave objection. His Excellency, in alluding to a memorial which had been forwarded to him by a Captain Marshall of the 71st Regiment Bengal N. I., thus expresses himself:

"As several instances of direct appeals of this nature have presented themselves to the Commander in Chief, he wishes the Army to understand what his opinions are upon the subject. They are as follows:

"He deprecates all appeals from competent authority, except on very sufficient grounds; which grounds should always be stated.

"The regular channels through which Correspondence is to be carried on, are pointed out in the General Orders, with several views; one is, that the Commanding Officer on the spot may exercise his judgment as to the propriety of forwarding, or not, such papers as may be offered to him; and thus spare the heads of Departments from useless references; and another, that they may be enabled to afford such elucidatory observations relative to the business forwarded, as may enable the Commander in Chief to form a competent judgment upon it. The Commander in Chief therefore deems it a duty of a Commanding Officer to form an opinion upon what is laid before him; and that it is as much his duty to refuse to forward that which he does not sanction, as it is to send on whatever meets his approval. Therefore, to whatever is forwarded by a Commanding Officer, the Commander in Chief will always be prepared to pay the greatest attention; but he will require strong grounds to be assigned for Officers sending to him papers *direct*; because, he can only consider such direct application in the light of an appeal from a competent authority; an appeal which Officers ought not to make, excepting on specific, and clearly stated grounds, When such grounds are assigned, the Commander in Chief will always be ready duly to appreciate them."

His Excellency starts, by deprecating all appeals from competent authority, *except on very sufficient grounds*, and he adds that such grounds should always be stated.

There is in this brief deprecation something exceedingly inconsistent. Why should he deprecate an appeal from competent authority—Is not a competent authority as likely to err as another,—and, if the grounds are "sufficient," why must they be superlatively so? Must judges be so tardy in doing justice that, unless the applicant has shewn "very" sufficient grounds, he is not to be listened to? And again, who does his Excellency constitute the Judge of those grounds? and does he suppose that an authority who had once passed his sentence, would place on record or even acknowledge that the grounds of appeal against his judgement, were "very sufficient"! thus proving himself to be incapable of passing a just and legal sentence, or of having, of malice prepense, or from some other motive, done an injury to a man whom, by his acknowledgement of the ground of appeal, being "very sufficient," he virtually admits to have been injured by his adjudication of the case!: the idea is preposterous, and had we not known of more than one instance where the right of rejection was exercised evidently with the view of concealing conduct on the part of a certain functionary, which would not bear a very close inspection, we would say that the rule did but expose its authors to deserved ridicule; but when we keep in view the fact of its throwing a power into the hands of a Commanding officer which may possibly render the attainment of justice impossible, then does it assume a very different complexion; and we turn us from the folly of it's authors, to the injuries it may produce. The reason assigned for the rule laid down completes the piece, and would leave us under the impression that the ease and comfort of "Heads of departments" was a matter of too much importance to be disturbed by any idle clamor for redress of wrongs. His Excellency is reported to have expressed himself in the General Order to which we have alluded, thus, "that the commanding officer on the spot may exercise his judgement as to the propriety of forwarding, or not, such papers as may be offered to him, and thus spare the Heads of departments from useless references!" Why, it might have ocurred to Sir Henry Fane, that those heads of departments are appointed, and receive their salaries for the express purpose of performing each his part in the machinery of the state, and that their personal comforts were never intended to be consulted, (nor do we think those Gentlemen would ever allow any such consideration to stand in the way) where questions of wrong or right affecting the interests of even the meanest subject in the British dominions in India, had to be attended to and disposed of, and it might also have occurred to him that the Commanding officer was not the very best person to select "such papers" as might be necessary to overturn his own sentence!

We could have wished that Sir Henry Fane, who has begun his career under the most favorable promise, had thought a little further on this subject than he seems to have done. Certainly the reason assigned for vesting the unlimited power of rejection in the hands of the Commanding officer betrays a departure from that determination to secure justice which His Excellency's other General Orders so clearly indicate; and we can only wish that His Excellency may not have occasion to regret having thus in effect deprived the aggrieved of the right of appeal, and thrown out of his own hands that power which would have always been a most salutary check on the conduct of those whom it is his duty to control.

IN drawing the attention of our readers to *Colonel Kennedy's* explanation contained in his letter which appears in to-day's columns, and while we thank Colonel Kennedy for the information which he has been so obliging as to give,—information which,—coming from such a source, will always, we are sure, be received with respect, we would point out what appears to us as still requiring some little explanation. In doing so, we are only anxious that that which is intended to be laid down as a leading rule in Military law should be as clear and as little open to misapprehension as possible, that the uninitiated may have no excuse for falling into error.

It is stated in to-day's letter that "to decide "whether the challenge made to the president "of a General Court Martial rests on legal "grounds or not, no discussion is requisite, for "this is a point which must be determined ac. "cording to the rules of law," &c. We cannot well see how an objection can be determined according to the rules of law or any other rule until there is an enquiry, or examination, or some means adopted to ascertain whether it is well founded or not. This investigation and the remarks which may follow thereon by the Members of the Court, partake more or less of the character of a "discussion"—and certainly sufficiently so (as it appears to us) to justify the idea that a "discussion" has taken place on the subject of the objection, sufficient to render the presence of the president (when the objection applies to himself) objectionable, in so far as he is acting as a Judge in a charge which affects his own eligibility to sit as a member.

Nor does it appear material, so far as the *necessity* for *discussion* is concerned, by what rule the disposal of an objection is to be governed. That some discussion must take place before the objection can be disposed of, seems clear. Even in determining whether the challenge is or not good in law, there must be some discussion before the court can decide.

As regards the rules of law, we suppose every objection which may be urged at a Court Martial to either the President or any of the members, must be considered an objection in law against the individual to whom it refers, and must be disposed of either by authority of express law, which may have established its validity,—or by precedent, which perhaps is to be considered the next best authority,—or by a more remote analogy;—and if none of these would seem to warrant its reception, then by the particular necessity which the case itself may appear to create,—but if it is to be negatived,—in other words, rejected, still it is not the less a decision on "legal grounds,"—that is, it is not sustained, because it is *not* a *good* objection in law. Thus it appears that, whether the objection is sustained or rejected, it is disposed of on "legal grounds," and on none other. A court, when once constituted and convened, could not take upon itself to dispose of any objection in any other way than upon legal grounds.

In the present communication there appears to be an obscurity in some of the passages which may be apt to mislead.

We would refer in the first place to that part where it is stated that "to decide whether the challenge made to the president rests *on legal grounds or not*, no discussion is requisite, for this *is a point which must be determined according* to the rules of law, and *not* according to the opinions of the members of the Court Martial" while, a little further on, it is stated that "the deciding, consequently, on the *validity or invalidity* of such challenge is a power *necessarily vested* in a *General Court Martial*, but it must restrict its decision to the *legality* or *illegality* of the causes assigned," thus shewing in one place, if we understand rightly, that the Court have no power to decide whether the challenge rests on legal grounds or not, while, from some omission or oversight, it appears a few lines below that the power is "*necessarily* vested" in a General Court Martial to decide on the "legality or illegality" of that challenge.

And again; it is stated that "in *ascertaining* "whether the *challenge is well founded* there can "be no objection to the president being present "and giving his vote and opinion on the question" while a little further down it is stated, that "it "(the General Court Martial) *cannot enter* "*into an enquiry into the grounds* on which the "*challenge is made*, as it remains for that authority (that by which the court was convened) "to ascertain, in such manner as he may "deem expedient, whether or not the challenge "rests on sufficient grounds" from one passage of which we would conclude that the court had the power of "ascertaining" the merits of the challenge, while the other directly negatives any such right. We take the expression "well-founded" used in the first sentence, to mean, that the grounds of complaint are good, and such as, if proved, would warrant the application of a certain rule of law. If it is intended to convey the idea of the objection as stated, being a *good one in law*, (leaving the grounds of objection to be afterwards ascertained) that may present the subject in a different view, but in such case we should think the term "well founded" liable to misconstruction.

There is a further portion which may not be easily understood. We refer to that part where it is stated that "to decide whether "the challenge made to the president "of a general Court martial rests on "*legal* "grounds or not, no discussion is requisite, "for this is a point which must be deter-"mined according to the rules of law, and *not* "according to the opinions of the members of "the Court martial" and, towards the end of the letter, in referring to the Poonah Court martial, it is stated that the president took upon himself to reject a *legal* challenge &c, and "that the members of the Court were extremely blameable for having submitted to such an improper usurpation of their functions as judges, and for having allowed a question of so much importance to be disposed of *otherwise* than by the *Majority of the Votes of the members*" &c.

As it strikes us there seems some little explanation necessary to reconcile the two quotations,—the one making it appear that the members of the Court have nothing to do with the disposal of objections founded on legal grounds, and the other, if we understand it rightly, shewing that it is by the *majority of votes* the matter ought to have been decided.

There is a further portion which strikes us as being likely to be misunderstood. We refer to that portion which states that "in ascertaining, therefore, whether the challenge is "well founded, there can be no objection to "the president being present and giving his "vote and opinion on the question, as it is not one of a personal nature" &c. but surely an objection to a president himself may be of a personal nature, (instance, partiality, prejudice) whether well or ill founded, or whether on legal grounds or not, and is it fit that either his voice or presence should in any way control its disposal? In the common acceptation of the term a charge of partiality, prejudice, &ca. against the President must be considered *personal*, and indeed any objections to the President or Members of a Court Martial are more likely to be on personal grounds than on any other. That the Commander in Chief may, in a further stage, exercise a controlling authority, appears scarcely enough. His check on the proceedings of the Court (so far as the objection to individual members of the Court, whether the President or any other member, may go) would scarcely appear to warrant the practise of a man acting as Judge in a case against himself. The control exercised *after* the proceedings are gone through can scarcely reconcile one to the idea of vesting a power in the president so much at variance with the acknowledged principles of our civil code. A Commander in Chief may think proper to sustain the objection, and he may not; but whether he does or not, there has been the no less a violation of proper rule in the President voting in a case which involved a charge of partiality (perhaps properly, notwithstanding the fiat of the Commander in Chief to the contrary) and prejudice against himself, and that case being conducted in a spirit perhaps dictated by that same partiality and prejudice. This is a possible case, and if the rule which obtains in Military Courts admits of such an anomaly, we think the sooner they dispense with it the better.

But would not the appointment of a President pro tempore answer every purpose of order in the proceedings of the court, pending the investigation and disposal of the challenge to the president? This would obviate the necessity for his attendance as president, while it would relieve him of the charge of influencing the decision of the Court, and of voting in his own favor, a duty which no doubt rests very heavy on his shoulders when he has it to perform.

Should these observations appear deserving of and receive notice, our purpose will be answered, as our only wish is that any principle laid down by the same authority should be so clear that it could at once be acted on without risk of mistake.

WE suppose there cannot be much difficulty in answering the question which our correspondent TRUST takes so much interest in. The right to "proceed to or tarry in" an "independent" native state cannot be questioned by the Company, the very word "independent" implying that that state is beyond their control. If our correspondent will refer to the preamble of the late charter he will find the extent and limit of the company's power defined;—that power goes not beyond the "British Territories:"—the subsequent sections of the charter refer to the same territories. He will also find, by reference to the sections from 78 to 82 inclusive, the restrictions which the Company are entitled to exercise, but these are all confined to the "said territories"—meaning the British Territories referred to in the preamble.

This being the case, any private individual has as much right as the company in a body, or in detail, to "proceed to and tarry in" an Independent native State. In fact, the company's officers themselves are only allowed there by sufferance, it being the pleasure of the native prince alone on which the period of their residence there depends. It is possible the Governments of this country, or individuals subject to their guidance, might attempt (we should hope, for their own credit, that nothing of the kind would be attempted at this time of day) to "deport" (as our Correspondent terms it) an individual from an independant native state, but that would be an exercise of power in keeping with many of the acts of by-gone days, about which the less that is said, the better. Our Correspondent will recollect the maxim "might is right," and any interference such as that spoken of by our correspondent,—whether exercised over the individual who "proceeds and tarries," or over the inherent rights of the prince to whom the territory belongs, would be so unjust an assumption of power that, at this time of day, we do not think there is any man in this Country bold or bad enough to attempt it in the face of laws which are so plain that he who runs may read. If our correspondent's "hypothesis" applies to Bombay, we think there is very little chance of any such errors being committed. Under this impression we have struck out a considerable portion of our correspondent's letter, as it deals in invective which, before we can publish, we must know whether it is deserved or not; and we would here remind our correspondent that, professing ignorance as he does of the point in question, it would have been much better to have reserved the sentence he has passed until he had known whether the parties were guilty,—in other words, until he had received the "authority" he speaks of for determining the question of guilt or innocence.

Now that we have given our view of the matter, and should TRUST think our doctrine sound, we shall be glad to receive the promised particulars, as, from his description, they must be a treat. Any thing hideous or outre would, in the present scarcity of news, be acceptable, and if our Correspondent could clap horns on the victims, as he leads them to the altar, the exhibition would be still the more interesting, as it would remind us of animals that have in ancient times been sacrificed as a peace-offering.

BY the *Betsy* from Manilla, we have received Singapore Papers to 12th September, but they contain nothing of interest. An extract regarding shipping arrivals and departures, and one or two others, will be found under our Singapore Head.

Sir Henry Fane seems determined to allow no irregularity or misconduct to escape him. Order upon order is issued, and change upon change follows. He has done more good in the short time he has been at the Head of the Indian Army than all his predecessors put together. He seems to trifle with nothing, hesitate at nothing, and while others would be bothering their brains how to dispose of existing evils, so as to make the change as palatable as possible to those who had "vested interests," or claimed a prescriptive right to do mischief, he at once and boldly grapples with the foe, and by one dash of his pen, consigns him to an eternal rest. These are the men fit to be vested with power, and one such will redeem a host of the incompetents.

A General Order we have now before us, and which we here subjoin, entitles His Excellency to the greatest praise, and to the best thanks of the army at large. Who can have forgot the paltry charges which some General Courts Martial lately held, had to inquire into? From all points of the compass, and from all distances from one hundred to five hundred miles, were officers of the highest rank convened to inquire into and pass sentence on—some petty affairs which were worthy of a couple of old washer-women to sit in judgement on! We say nothing of the enormous expense these General Courts Martial lead to,—that comes out of John Company's pocket, so, on that point we will not distress ourselves, but does not the frequency of such Courts, on matters of such trivial importance, materially lessen the dignity of Courts Martial in general, and "diminish that awe" (as Sir Henry Fane properly expresses it) with which they ought to be contemplated by the army at large? To be sure it does, and we appeal to the experience we have lately had of these matters in this country, whether we are not borne out in the assertion.

But there is a further and not a less serious consequence which must follow the practice of convening general Courts Martial on trifling matters: it of necessity lessens that high respect for the convening authority which it is essential for the interests of an army, should exist. When that link is broken, the power of that individual, for any beneficial purpose to the army, ceases, and he becomes an object of hatred and contempt. From that moment the interests of the army require that he should withdraw from a situation which he has so unworthily filled.

There are several other points referred to in the order, each equally important, but our space will not allow us do more than refer to them.

"1 His Excellency the Commander in Chief in India having recently had before him the proceedings of several General Courts Martial, feels it necessary to express his opinion, that the amount of crime in several of the cases was only such as might have been quite adequately dealt with by a District, or Garrison, or even Regimental Court Martial.

2 The great frequency of the assembly of General Courts Martial, is much calculated to diminish the awe with which they ought to be contemplated by Soldiers; and the practice is, furthermore, exceedingly inconvenient, and detrimental to the Army, by occupying in such duties so many Regimental Officers.

3 The Commander in Chief in India therefore desires that Commanding Officers of Regiments will carefully weigh the amount of such crimes as may be committed by the Soldiers under their command; and that in all cases in which it appears that a Regimental, or Garrison, or District Court Martial is competent by Law to investigate a crime, and to award an adequate punishment, they will have recourse to such Courts, and that they will not bring Soldiers before a higher class of Courts than is necessary to meet the case.

4 His Excellency observes that the 84th Article of War has not been sufficiently attended to by some Officers; and that a practice has grown up of making the Members of a Court Martial acquainted with the previous bad character of a prisoner antecedent to his trial, by noticing the record of his convictions immediately subsequent to his arraignment. This is a practice as incousistent with justice, as it is at variance with the 84th Article of War!

5 Courts are in the frequent habit of passing such a sentence as "solitary confinement for two months *in the Fortress of Allahabad*" The fixing *the place* where the sentence must be inflicted is

often attended with inconvenience. It is best to award such punishment as the Court may deem proper, and to leave the place where it is to be carried into execution undefined, to be fixed by the Officer whose duty it may be to approve the proceedings of the Court.

6 There appears to the Commander in Chief occasionally to be an affectation to imitating the minutiæ of the practice of Civil Courts, introduced into the Charges laid before Courts Martial. Details, quite unnecessary before Military Courts! Thus, in a charge is introduced the disgusting expressions of a drunken, or mutinous Soldier who has forgotten himself; and these have appeared both in Hindoostanee, and English, in the body of the Charges. This practice seems quite unnecessary for the ends of justice; since the Soldier's crime would have been as well developed under the simple charge of "unsoldierlike," insubordinate," or "improper" language, as when aided by the unqualified nakedness of the words thus especially charged!

7 The Commander in Chief solicits the attention of the Commanders in Chief of the Madras and Bombay Armies to these points."

CALCUTTA.

COURT MARTIAL ON CAPTAIN O'HANLON.

The following is the new charge on which Capt. O'Hanlon was Yesterday arraigned before a Court Martial:—

"That the said Captain Pringle O'Hanlon, being then under suspension, was made officially aware, in July 1835, of the publication, of a letter, dated 19th April, in the newspaper, denominated the *Meerut Observer*, of the 23d April 1835, which letter was signed with his name, 'Pringle O'Hanlon', and purported to have been written by him to the same, for the purpose of being laid before the public, and which contained false and scandalous charges against Colonel Stephen Reid, of the 11th Light Cavalry, his former commanding officer, and against Captain J. A. Scott, of the 1st Regiment of Light Cavalry, and after being so officially made aware of the said letter, Captain P. O'Hanlon, never offered any contradiction or dissavowal of the said letter, but allowed the said letter to continue to appear before the army and the public, as written by him, Captain P. O'Hanlon, to the great detriment of the said Colonel S. Reid, and the said Captain J. A. Scott Such conduct being unbecoming the character of an officer and a gentleman, and subversive of military discipline.'

The Court assembled yesterday, and at four o'clock adjourned until this morning.—*Bengal Hurkaru, Oct.* 29.

THE MILITARY MOUTHPIECE.

No. II.

A Series of letters which have been recently addressed to His Excellency the Commander-in-Chief, by the Editor of the Englishman and Military Chronicle.

Ne vile Fano.
Motto of the Westmorland Family.

However much occupied may be the time of an officer holding the high and responsible situation of Commander-in-Chief in India, it cannot well be more occupied than that of a prime minister or a secretary of state, and as even these eminent functionaries have their comparatively leisure hours, it will follow that your Excellency must have an occasional hour in the day which you can devote to the lighter and less instantly operative duties of your station, without trenching upon those labors which are requisite to prevent a stagnation of the current business of the army. If, then, you are desirous (and it is but just to you to assume that you are) of making yourself master of the general nature of the native army, and the peculiar temper which circumstances have created within the last few years, we do not know any better authorities to refer you to, for this general but essential purpose, than the pages of the Indian journals retrospectively for the present year. Antecedent to that period there are masses of sound information contained in all the journals; but there must be some limits to what may be called arrear reading in such a case as yours, and as we are aware that a reference to the extent which we have specified will not fail to imbue your Excellency's mind with a knowledge of, at least, the causes of discontent in this army, and enable you to do much to soften or remove them, we limit our entreaty to the retrospection we have named. For this purpose we shall be most happy, at any time it might please you to lay your commands on us to that effect, to send our own files of each for your leisure inspection, and to have them returned to us at your entire convenience. A deep study of them will not be requisite. What might be termed a skimming of their contents would suffice to restore your memory or your notes with *matter for enquiry*, which is all that we can desire on the part of the army; as it were inordinate, indeed, for us to expect you to be bound by the reasoning of anonymous contributors or editors non-military, fallible as all men are, and biassed, of course, as men cannot but be, who are either smarting under conceived injustice on the one hand, or basking in the sunniest smiles of fortune on the other. The *tone* of the *army's mind* will, however, be brought to your Excellency's knowledge by the course we respectfully veature to recommend, and we apprehend you will learn much which you would not be likely ever to hear from those immediately about your person.

Your Excellency has no doubt heard of the Barrackpore Mutiny, and you already know that Barrackpore is within sixteen miles of Calcutta; but it is probable you do *not* know, that the mutiny had existence for four days before it was reported to Sir Edward Paget; though had there been a free and spirited press then as there is now, and had officers been as much in the habit then as they are now of promulgating military mismanagement through the pages of the diurnal press, no question can exist, that Sir Edward would have heard of it through some anonymous channel, and been prompted to enquire into the truth of so serious a report. The negligence caused the sacrifice of many lives, and it caused the then adjutant general (indequate retribution!) to lose his situation; but it should serve as a warning to all Sir Edward's successors to seek for information through all honorable channels, and to at least, *enquire* about anonymous expositions or complaints when the subject matter of them appears to be interwoven with discipline or justice. The very highest authorities in England attend to representations conveyed through the press; and we are aware of instances in which Lord Hill has been influenced by like means; while it is notorious that many intelligent men, actuated by the worthiest motives, will convey information to those in power through a newspaper, which they would not choose to risk the disfavor of officials by communicating direct, or in their individual character. Your Excellency cannot be ignorant of the great good which has been wrought to your own army by means of the London *United Service Journal*, and we still cherish a hope that in the end the same result will follow with our own, (a complete copy of which we have had the honor to send to colonel Beresford for your Excellency's kind acceptance) though the first burst of free discussion will always be characterised more by complaint than approbation, for reasons too obvious for us to take up your time in explaining.

For this preparatory digression on the general subject of anonymous representation, we come back to the two points with the mention of which we concluded our Tuesday's remarks; viz: Courts Martial including all referred disputes, and the Distribution of Patronage. Although conducted under the same principle of law, and created by the same theory respecting the preservance of military discipline, there are features of material difference between a court martial at the Horse Guards and a court martial at one of our Division Head Quarter stations; and we are very much afraid, that, with the same degree of individual honour in the members, and, perhaps, the same degree of legal acquirement, the ends of real justice are sel'omer here attained than they, probably, are at home. A court martial assembles in London to try an individual whom either the majority of members may not personally know, or in whose society they may not happen very frequentiy to be; and they, possibly, know little or nothing about the case until they hear its character at the opening of the trial. But suppose the individual and the case to be both generally known in the military circles; still, the members from the different sets of society in which they move, and the different quarters in which they chance to dwell, are not in the daily habit of hearing the merits of the question extrajudicially discussed, and the partisan war as carried on at a mess table; and when they separate for the day, they return to amusements or avocations so distinct from the business which occupies them in court, and so freed from all insinuation or remark from the friends of either side, that their minds are kept unbiassed, and in their feeling for the consummation of strict justice there is no admixture of the adulterating desire for the triumph of a side. But in India (certainly in Bengal) it is greatly the reverse; and, accordingly, a party feeling, inseparable from a small and unvaried state of society, almost in every case profanes the temple of justice, and leaves her little or no chance of being worshipped with a perfectly pure heart, and a perfect singleness of purpose. The whole of each presidency (but we are speaking particularly of Bengal) is socially constituted on the principle of an English country town of secondary dimensions,—all is marked by a morbid and prurient desire for the tittle tattle of the day; and if we were asked to answer, in the spirit of Demosthenes, to a question of what was the first, second, and third characteristic of Indian society, truth would compel us to respond—'gossip, gossip, gossip!' The affairs and character of every one are known with more or less accuracy, and to more or less of extent, to every other person; and if (to keep close to our particular subject) a general court martial is directed to assemble at Cawnpore or Meerut for the trial of a European officer, the nature of the charge is every where speedily known, and the delays attendant on the actual proceeding to business after the court is nominated are filled up *at* the station itself with nothing so prominently as with discussions of the case, and the organisation of parties for the prosecutor and the defendant. Now, in this country, or elsewhere, British officers are, after all, but poor, weak, fallible, human creatures; and it is not consistent with an every day knowledge of our nature to suppose, that with all the desire in the world to do so, they *can* go into court with minds totally free from bias, and with opinions totally unformed upon the merits of the question, which they have heard, more or less of, for, probably, weeks and months before they could have known they were to be constituted its legal arbitrators at all. This feeling goes on encreasing during the trial; and as many members imagine they know themselves as much about the study of that branch of science, as those who are appointed to be the law-advisers of the court, there is none of that official respect paid to the opinions of the deputy judge advocate which his public character, were it always such as to impress the army with a conviction of his superior attainment in his line of public duty, would entitle him to.

As one of our military contributors has lately sent us an eleborate article on the subject of Indian Court-Martial Law and Practice, for insertion in the *United Service Journal*, we do not think it necessary to dwell at great length upon that topic here, and we shall, therefore, let it suffice for this portion of the question to say, there is an absence of dignity about an Indian court martial, which is a good deal owing to the constant familiarty (incidental to their mode of life) subsisting between all officers of this army; and which must, in a great measure, hinder an accused, or a complaining party from having that awe of, or that deference for, a tribunal of justice, which obtains at home, when he sees it composed of his every day associates, so many of whom he knows to be intellectually unfit to cope with the difficulties of an intricate question, or bear in their minds a just analysis of a mass of various testimony. Well, then, with these feelings of mistrust (common to both the parties,) and a suspicion, or even an observation, of a prejudice in some of their breasts against him, he looks to the remarks of the Commader-in-Chief to do him that justice which he thinks the court denies, or to satisfy him, at least, that he has done his judges wrong. In this hope a party is, now-a-days, often wofully baulked; for of late years, since the time of Sir Edward Barnes, the proceedings of courts martial have been almost disregarded; so that blunders in law, irregularities in evidence, and remissness in general duty, have been passed over with impunity—to the great detriment of discipline, and even, we will say, to the lowering of military tribunals in the general esteem. Where remarks *have* been made, they have not satisfied the parties, because it has been evident that they have not flowed from a perfect acquaintance with, but rather from an inattentive perusal of the case; and they have contained observations, so much at variance with the evidence, as made it clear to all who were acquainted with the proceedings, that they were either not assiduously weighed, or not perfectly comprehended. From these animadversions the remarks of the Marquis of Hastings, Lord Combermere, and Sir Edward Barnes, are almost all to be excluded; for they almost always bore proofs, on the very face of them that their Excellencies had made themselves thoroughly masters of the several cases; and they had a pervading tone of argument and illustration which, while it tended to soothe even the unfortunate parties, convinced every one that an interest had been taken in his cause; and that (what all millitary men like so much to feel) the Commander in Chief had *investigated for himself*, and not left it in the powers of others to imbue him with opinions of which he lacked the equity or industry to ascertain the value. We think it undeniably the duty of one in your Excellency's situation, on whose fiat so much of happiness and misery depend, to be scrupulous in pointing out the errors of courts martial, and in admonishing or reprehending the prepetrators of the wrong, instead of, as has too often been the case, passing over in silence, as if afraid or incompetent to deliver an opinion on them; such points of practice as may have caused much dispute between the court, the judge advocate, and parties; or, as may have been specifically appealed to you by the prosecutor, or the defendant, in the reply, or the defence; for, if such points are suffered to lie undecided, not only may essential justice be denied to a party; but the same members may on future occasions again act erroneously, and plead the confirming authority's silence on the subject as an argument for its correctness. Upon questions of evidence this is especially indispensible; for there is more mischief done by the deficiency of judge advocates, and members, in a knowledge of the laws of evidence, than by any other specific deficiency which can be laid to their charge. The *numbers* of courts martial in this country will speedily attract your Excellency's attention: but, we think, you will discover that the greater portion of them do not arise from breaches of military discipline, but from differences of a more private nature, which more firmness in commanding officers and in Commanders-in-Chief, might have prevented from ever being made the subject of public enquiry; and you will that once find, too, court martial not unfrequently springs out of the proceedings of another, either in consequence of the first court not having fully performed its duty, or of the Commander-in-Chief having failed in his remarks, or made no remarks at all; so that one of our courts martial may be likened to the banyan tree which throws out a branch that in time takes root and helps to produce another. This brings us to the subject of references. If the answer to a representation of a case between senior and junior, is couched in a strain which convinces either party, that it is more the answer of the adjutant general than of the Commander-in-Chief, it will not be satisfactory; but if its tenor (and this is soon discerned) is of a description to carry conviction to the parties that His Excellency has made himself master of the question, and has decided it under the only circumstances which can invest him with a *moral* right to decide, then, in nineteen cases out of twenty, no second appeal will be made; and we assert this on grounds furnished by an acquaintance with many instances in which, had the parties felt assured that the Commander-in-Chief had taken an interest in both their cases, and pronounced up on the merits, on a knowledge and a fair appreciation of both their arguments, they would never have thought of soliciting the decision of a military tribunal, which, in many instances, is granted, when a correct view of the discipline would suggest its being withheld. In all cases of an exercise of what may be termed your personal justice, in the early part of your ministration, your Excellency will be very much in the hands of your various staff, unless you determine to learn for yourself. How often, even with all your quickness of mind, or assiduousness of research, will you not have to enquire 'what is the custom?' or 'how have former cases of this nature been decided?' or "what is the character of the parties now before me?' and you will have to be guided by such replies (if you insist on no proof of their correctness,) as prejudice, or even culpable ignorance may think fitting to accord! But is this a desirable state of thraldom for a Commander-in-Chief to be in, or will it add to his official respectability in the eyes of the army to have his orders or decisions proved in the public papers to be partial or wrong, when a little more pains, and an anxious *desire* to do only what is right, might preserve him from error, and entitle him to inward as well as outward deference? Before finishing this subject, we deem it an essential part of the duty we have undertaken, to call your Excellency's attention to some leading parts of the Company's Mutiny Act, as distinct from the King's, in order that you may have all the means with which *we* can, in our humble capacity supply you, for arriving at a correct conclusion upon some points of practice lately much discussed, and appertaining to even the higher degree of felonies;—but this will carry us into a separate dissertation.—*Englishman and Military Chronicle, Sept.* 12.

No. III.

We do not propose going at any great length into the important questions of military law about which there is a difference of opinion (the questions being peculiar to Indian military jurisprudence) among some of our best informed correspondents; because we lack both space and ability to go into them fully and deeply; but as they have been elaborately discussed in these pages during the last few months, and as we trust your Excellency will not think it beneath your situation (noval as the questions must be to yourself, and vital as you must consider them to be in importance;)' to look over the arguments which have been elicited by the dispute; *we* shall satisfy ourselves by doing little more than stating the premises, and leaving a further investigation to your Excellency's presumed scrupulosity where life and liberty, and reputation, and professional prospects, may be jointly or severally concerned in the justice and wisdom of your ultimate award. By the second section of the Company's Mutiny Act there is a jurisdiction given to Courts-Martial, within prescribed limits, of a nature and extent heretofore accorded to the supreme courts of judicature, at the several presidencies alone, and to guard as much as possible against errors arising from a want of intimate acquaintanceship with the criminal law of England, on the part of both members of courts martial and Commanders-in-Chief, it is enacted (section 4th) that no sentence of death or transporation, in such cases (the *venue* being within the Company's territories) shall be carried into execution until confirmed by the Commander-in Chief with the concurrence of the Government or the president of the presidency under which the trial may have been held. Some artillerymen having been tried at Kurnaul, and sentenced to transportation, the sentence was first confirmed by the Commander-in-Chief, and in several days (eight or ten, we believe,) afterwards, it was notified that the 'Governor General *of India* in Council, concurred in the sentence of transportation a question was started as to whether such mode of procedure came within the intent and meaning of the Act of Parliament. It was contended that the words 'shall not be carried into execution until confirmed *with the Concurrence* of the Governor, &c.' meant both in letter and spirit, that the Commander-in-Chief should first ascertain the concurrence of the government, and then attach his *fiat* as follows:—'Confirmed, with concurrence of the Governor of Bengal in Council (or of the Presidency of Fort William in Council, whichever the title may be;) because as such was the precise language—the ipsissima verba—of the Act of Parliament, it was contended that their employment could not possibly be wrong, and that any other form of word stood, at least, a chance, which there was no necessity for incurring, of being materially erroneous. This part of the objection has never been refuted; because no one could argue that it was *wrong* to follow the words of the legislature in penal cases; and as to other words doing *as well* that must at least be considered problematical. It is clear that, in the first cited way, the confirmation is given *without* the concurrence of any other party, and must, therefore, be perfectly nugatory during the interval which the Government may chuse to make elapse; and it is scarcely becoming that the Commander-in-Chief should, in his most momentous function, have to do an act which may be kept a perfect dead letter for an unlimited space of time. If it were argued that no detriment could accrue to the convict from the delays of Government, because *execution* could not take place till the latter had investigated his case, we would answer that the very suspense and anxiety caused to a prisoner by allowing his fate to be left undermined upon, are in themselves an aggravation of punishment unintended by the law; but the conclusive answer is, that by the plain and unforced meaning of the language of the act, the concurrence should be noticed as given *at the time* of the confirmation, and should be expressed as the phraseology adopted by the legislature imports. Indeed, we are ourselves disposed to think that a separate notification of the Government's concurrence is a form more than is required by the law; for in all other cases an announcement by the Commander-in-Chief that he has the sanction of the Government, is deemed perfectly valid, the very publicity of his official acts rendering specific authentication superfluous; and a sentence published as 'confirmed with the concurrence of the Governor in Council,' or Governor General of India, if the law *be* so construable, would, in our humble opinion, be a satisfactory fulfilment of the spirit and letter of the Act. As to *who* is the concurring authority contemplated by the statue, it appears to us to be clear, that it is no other than the Governor of the particular Presidency; and the 'Governor General in Cooncil' was necessarily specified, because at the time of framing the Mutiny Act, such was the title of the *Bengal* Government. But now there *is no such person* as the Governor General in Council, of the Presidency of Fort William, but only a Governor in Council thereof; and, therefore, your Excellency is placed in the absurd position of confirming a sentence of death with the concurrence of a nonentity, as regards the statute. If it be said that the act gives no authority for saying the Governor, of the Presidency of Fort William in Council; we answer, that its spirits evidently does, but does *not* authorise the use of the words 'Governor General *of India* in Council,'—its spirit and manifest intent being, that the Government of the particular Presidency shall be the concurrent power; and for cases like these the nerveless Presidency of Agra is made one with that of Fort William. If the *Indian* Government must confirm the sentence for capital felonies, pronbunced on the Bengal Army, undoubtedly it should do so to those of the armies of Madras and Bombay, and yet it does not. Depend upon it, the time will arrive when some transported convict having friends in England, or money, or other efficient means, will have his case brought before Parliament, and then the Bengal Government will have but little to urge in its own vindication, for not having been able rightly to comprehend the language of an Act of Parliament, so extremely unambiguous that common sense, unaided by legal ingenuity, cannot possibly fail to expound it rightly.* Corresponding with the second section of the Mutiny Act,

* By a reference to the 3d and 4th, William 4th, cap. 85, (the New Charter Act,) we find, that by the 38th section, the former Bengal presidency is to be divided into two, and that the principal portion of it including Fort William, is to be styled the 'Presidency of Fort William in Bengal,' throughwith the usual irregularity of this Government, in things requiring legal exactness, official promulgations, such as public orders, &c. are said to be issued by the 'Governor of Bengal,' a person not recognised by the statute, nor by the official correspondence of the Court of Directors. Does the governor of Fort St. George ever officially designate himself as the Governor of Madras? And yet he might do so as properly as the governor of the presidency of Fort William changes *his* title in the manner above exemplified. By the 56th section of the Charter Act, the Governor General of India is made 'Governor of the Presidency of Fort William in Bengal,' *not* the Governor of Bengal, which province is only a part of the Presidency of Fort William. The 57th section says, that where there may be no council at any particular presidency, the government shall be administered by the governor alone; so that *if* there be a council for this government, undoubtedly that proviso gives (in accordance with the Mutiny Act,) the function of concurring, in the confirmation of sentences to the governor alone, and *not* to the general Indian government; and remember, if a man be hanged under an illegal process, your Excellency incurs a most weighty responsibility. By section 69 it is provided, that a Deputy Governor may perform all the duties of a Governor,—a proviso not made in regard to a Vice President by the Company's Mutiny Act. By the seventy-second section it is declared, that the presidency of Fort William in Bengal shall, for all purposes mentioned in our Mutiny Act, be taken to include both its own presidency and the presidency of Agra, thus leaving no plea or ground for the interference with court-martial sentences, of the kind referred to, of the Governor General of India, in respect to any separate portion of the entire Indian Army.

you have for His Majesty's army, appended to the Annual Mutiny Act for 1834, the hundred and second Article of War, which, in the plainest language, gives to the Commander-in-Chief *alone* the power of carrying those sentences into execution. The part of the prerogative is expressedly delegative to him, and it should be perfectly obvious, that, in all such cases, the Indian Government have no right of interference whatever. Where the Annual Mutiny Act or Articles of War (which latter have all the force of law) differ from the Company's, they, ipso facto, abrogate the latter, as far as King's troops are concerned; and where they direct a thing to be done differently from what the Company's code directs, *their* directions must be attended to of course; and if your Excellency conceives that there is any thing valid in His Majesty having clothed *you* with power to act on his behalf in regard to his own troops, you are wanting in respect to the prerogative if you seek for the consent in your actions of any inferior power, and that power, too, not even a King's Colonial Government: The words of the hundred and second Articles of War are:—'such sentence not to be carried into effect until such officer commanding-in-Chief shall have approved and confirmed the same. The word 'governor,' also used in the sentence, alludes to colonial governors, but the term 'officer commanding-in-chief especially refers to *your* situation *here*,—an interpretation which, we doubt not your Excellency's warrant from His Majesty decidedly confirms. Yet it has been the practice for our Commander-in-Chief to require the concurrence of the *Indian* Government (and even *that* in the illegal way already pointed out in his mere *confirmation* of sentences of King's soldiers, although the foregoing words of His Majesty's Articles of War require such sentences to be both '*approved* and confirmed,' and do *not* require the inconsistency of a Company's Government sanctioning a King's Commander-in-Chief holding the King's authority to that effect in the infliction of punishment upon a King's soldier. As whenever the plain tenor of the law is departed from, there will incongruities soon be mixed up in the attempt to carry its provision into effect; so we find that there is much want of uniformity in the modus operandis upon these occasions. In Bengal, in the case of King's soldiers, the Commander-in-Chief employs merely the word 'confirmed,' instead of the prescribed formula of 'approved and confirmed,' (though, if the word *approved* may be omitted by one person, so may the word *confirmed* by another; *A.* having as much right to curtail His Majesty's prescribed form according to his own pleasure, as *B.* can have to do so according to *his*,) and the Governor General *of India* in Council, coming to his aid, lest the King's plenary authority should be insufficient! say, (perhaps a fortnight afterwards,) sometimes simply, 'I concur,' and then the signature, and sometimes, more elaborately, thus:—'The Governor General of India in Council concur in the foregoing *confirmed* sentence &c;' and though the King commands that the sentence on his own soldiers shall be both approved and confirmed; no matter, while the Company's governor and the King's commander-in-Chief agree, that simple confirmation will be quite sufficient. But at Madras (*vide* the case of private Robert Fagan of H. M. 54th Foot, as published in this Paper of the 4th of July,) the Commander-in-Chief properly 'approves and confirms' the sentence: but then in comes the local government (the charge is tried specifically, too, under the hundred and second article!) and concurs in the 'foregoing *sentence* of death &c,—that is concurs, in fact, with the court-martial in the sentence, instead of simultaneously with the Commander-in-Chief in the '*approved and confirmed*' sentence, which, if the Government had a right to interfere at all, was alone the point, to be concurred in. Now, we ask your Excellency whether all this is not very disreputable bungling, and it merits any milder epithet; Forms of whether procedure that differ from each other cannot all be right; and we think it but reasonable to conclude that the most probable method by which to secure both correctness and uniformity for the future, will be to adhere to the *words* of the law in effectuating its provisions. Several points of military law arose in the course of the public discussion upon this one, and all, of which, though collateral questions with reference to it, were of great importance with reference to justice; and if your Excellency were either to look over the arguments, pro and contra, or direct the judge advocate general to bring them to your notice, when any of the moot points come directly before you in the form of a case, you could not possibly do your present knowledge any injury, by adding to it an acquaintance with such military jurisprudence as is peculiar to the Indian Army, or by bearing what has been urged on such subjects by writers among us who have studied them with attention. We have the authority of men whom we believe to be competent judges for saying, that in Captain Young your Excellency will find an intelligent judge advocate general; but he has no controul over the current proceedings of courts-martial; and we can assure yobr Excellency that you will not find the utmost degree of attention you can bestow on those proceedings one bit too much to enable you to eradicate the various irregularities into which those tribunals fall, and to substitute something like consistency in their several modes of practice. Some will condemn an officer in conduct unbecoming a *gentleman*, and yet retain him in an honorable and gentlemanly service; others will direct a reprimand to be given, in a case where, by their own line of argument, there ought to be none; and a Commander-in-Chief will approve and confirm it without any remark whatever, even so much as toy direct, or remit, the punishment: a third will fulls and honorably acquit an officer of most attrociou charges,—will pronounce the conduct of the Prosecutor to be all that is unworthy, and yet a Commander-in-Chief shall publish the finding without saying one word of his own, either in condemnation, if the prosecutor of the court rightly stigmatised him or in his vindication if they have not; and the proceedings of a court shall abound in gross illegalities and contradictory practice, and if no sort of notice will be taken of such disgraceful conduct by the ultimate authority! We have one instance on record where a sentence of death was entered by the judge advocate, without its ever having been put to the vote, and yet the Commander-in-Chief was silent upon it, though the shocking fact was, on reference, admitted by the president himself—an old officer of His Majesty's service.

But we have somewhat exceeded the limits we proposed to ourselves at the commencement of this exposition, and we must, therefore, abruptly close it; only pausing to entreat your Excellency not to take an unfavorable view of our motives in what we have said, but to give us the credit of being actuated by the purest desire to attain the ends of justice.—*Englishman and Military Chronicle, Sept.* 15.

(*To be continued.*)

SINGAPORE.

The *Water Witch*, Henderson, arrived on the 19th instant, 22 days from China. The last of the proceeds of the *Sylph's* Opium had been forwarded by her, and we understand the whole cargo has realized upwards *of seven lac and seventy thousand Rupees* including such portion of it as was sold here. The hull of the ill-fated vessel has been hauled into the river, and we learn that the underwriters have ordered their agents here to dispose of her and her stores by public auction at some fixed price, which if not obtainable, that she shall then undergo the necessary repairs to fit her again for mercantile purposes.

The *Fort William*, Neish, arrived also on the 19th instant, from Calcutta 27th July. No Bengal papers, however, have been received by us. The *Tartar*, Rough, from Batavia came to anchor in the roadstead yesterday. We learn that the *Balcarras* from England the *5th May* had arrived at Batavia, but no additional or later political intelligence than what we have already published has as yet reached us.

A subscriber has requested us to notice that the French Bark *Tayac* had spoken in the Sooloo Seas on the 13th July last, the Bark *Nelson* of London, Brown, and Ship *Cyprus* of London, Spratly; the former having on board 850 Barrels, and the latter 600 Barrels of Spermaceti Oil.

Our Readers will feel highly gratified to observe by the subjoined letters that one of the mercantile community of this place, now in England, has been exerting himself in conjunction with a highly respectable American Merchant in London, to obtain from the British Government an acknowledgement of the right of American vessels to trade at this port and we are happy to add that the application has been successful. Our correspondent informs us that the necessary official notification was in progress when the Balcarras left England in May.

We have been favoured with the perusual of a letter dated Canton, 23rd July, giving a particuar account of the attack on and plunder of the Bark *Froughton*, Thompson. which left this port for China on the 18th June.

The vessel it appears was dismasted in a gale of wind about 100 miles S. W. of Macao, on the 5th or 6th of July. The gale having abated, she anchored near a rock called the "Mandarin's Cap" the moreeasily to repair damages and rig jury-masts. The Chinese fishermen, who visited the vessel several times were very quiet and behaved themselves unusually well, though, as it afterwards proved, their visits were made merely for the purpose of watching a chance of plundering her. On the evening of the 6th, while all the crew were below, and asleep after the fatigues of the day, and no persons on deck but the captain and mate, the ship was surrounded by 25 or 30 large fishing boats, which approached close along side in such a manner as not to raise a single suspicion of their intentions, when suddenly they threw on board over both quarters, upwards of 300 men who seized the officers and crew, and lashed them to the deck. The captain and mate, however, kept them at bay, for some time, with what weapons they could most readily lay hold of, until being wounded with long bamboos with spiked heads, they were obliged to retreat to the cabin. A deliberate plunder now ensued; more than 200 boxes of treasure, containing upwards of 50,000 dollars, were taken from the run of the ship, before the eyes of the captain, and bales and cases of goods, amounting in value to another 50,000 dollers, were soon transferred from their lawful situation to the holds of the Chinese fishing boats. The mate and cook who were in the cabin, attempted the desperate remedy of blowing the ship up, as the only one which could cause the pirates to desist from their robbery, and leave the vessel. A cask of gunpowder was prepared and set fire to—yet, though the explosion, injured part of the deck and some of the crew, and drove the Chinese out of the vessel, it fortunately had not the full effect intended, to blow up the ship, crew and chinese altogether. To escape, if possible the danger anticipated from the explosion, the mate and Cook jumped from the cabin windows into the sea, whence they were kindly picked up by the crew of one of the boats, and replaced on the deck of the vessel. A few pistol shots were fired by the captain at the commencement of the attack, but without effect. The vessels anchored in Mocao roads a day or two after.

On the receipt of the news at Canton the Governor was petitioned through the Hong merchants, and on the following day, (the 11th) he issued his reply, in which he says no measure shall be left unemployed to discover the miscreants, and procure the restoration of the property. 'Heaven,' he says, 'shall be searched, and earth ransacked to bring to justice the violators, of the laws of the celestial empire, he the Governor, has in vality taking the most energetic measure to seize the robbers; there is their is little doubt but that many of them will be caught. To satisfy Chinese justice, however, it is likely that some 50 or 60 wretches will be tried and executed—tho,' whether they be guilty or not, will make but little difference with the Government. The matter is for the present at rest, as nothing has been heard from the mandarins who were sent in search. In the event of the agent of the vessel not being satisfied with the steps taken by the Chinese authoritjes, or no redress is obtained, the matter is expected to become national on both sides.

Since the above was written we are informed that five or six of the fishing boats had been seized in China and a quantity of specie found on board belonging to the *Troughton*. The discovery had been made through some of the villains impeaching their accomplices in guilt.

The "*Raleigh*," H. M. 18. Gun brig, had arrived in China, before the departure of the *Water Witch*. Her destination is said to be the *Bonin Islands*.—*Singapore*, 23,

We learn that the Clipper *Sylph* was put up at public auction on the 2d instant but no purchasers; she will, therefore, now undergo a complete repair and be ultimately despatched to Calcutta.

Died on the 25th ult., at Saugor Roads on board the Ship *Fort William*, JOHN FLEMING, Chief officer, much regretted.

ARRIVALS.

Aug. 18th,—British ship Lord Castlereah, Tonks, from Calcutta 29th July,

Do. British ship Pestonjee Bomonjee Thompson, from Bombay 23d July.

Do. Brit ship Fort William, Neish, from Calcutta 27th July.

20th British ship H. Bomanjee, Key, from Bombay 26th July.

DEPARTURES.

Do. Brit ship Lord Castlereagh, Tonks, for China.

21st—British ship Fort William, Neish, for do

Do: Brit ship Pestonjee, Bomanjee Thompson, for China.

Do. Brit ship H. Bomanjee, Key, for China.

5th. Sept. British ship Pascoa, Morgan, for China.

7th. British ship Allalevie, Clarke for China

8th. British barque Thomas Coutts. Onslow for China.

EUROPE.

MR. ELLIS'S JOURNEY *via* TREBIZOND —RUSSIAN INFLUENCE AT THE PORTE.

(*From the Morning Chronicle, July* 13.)

Several of our evening contemporaries stated on Saturday, that the French Government intended to send a gentleman to explore the northern provinces of Persia, with the view of publishing a statistical account of those regions; and that Mr. Ellis, the British Envoy to the Court of Teheran, was desirous of shortening the way to his destination, by proceeding in a steam boat to Trebizond. The journals added, that in order to carry these projects into effect, the two Governments had requested permission from the Ottoman Porte for the two individuals in question to pass through the Straits of the Dardanelles and the Bosphorus, and that in both cases such requests were either evaded or refused; moreover, that the Russian Minister at Constantinople had taken it upon himself to join in that course of proceeding on the part of the Sultan, alleging that the Treaty of Unkiar Skelessi, or rather the secret article appended to the patent articles of that engagement, positively prohibited the navigation of either of these straits by foreign ships of war during peace, and that this article is in future to be most strictly enforced.

Upon these statements some strong arguments were founded, calculated to awaken feelings throughout this country of a nature that ought not to be lightly tampered with. The treaty of Unkiar Skelessi has already given rise, not only in England but in France, to jealousies which a breath may kindle into war. We should be all, therefore, extremely cautious in our manner of dealing with so important a subject, which perhaps it would be more prudent to leave for the present in the hands of the diplomatists. Every body will remember, that when the Cabinets of Paris and London obtained authentic information as to the conclusion of that clandestine compact, they warned the Russian Government that they would act as if it had no existence. Nothing has since occurred, we believe, to induce the French or British Ministers to alter the views which they originally took of the secret article especially. It follows, therefore, that if our Government intended to accelerate Mr. Ellis's journey, by giving him a steam boat to go to Trebizond, our Foreign Secretary would never think of asking permission from the Sultan for such a vessel to pass through the Dardanelles and Bosphorus into the Black Sea. The steamer, which could hardly be considered as a ship of war within the meaning of the treaties existing between *Great Britain* and the *Porte*, with reference to those straits, would proceed on its voyage as a matter of course. If there were any guns on board, which might impart to it any character of that kind, they might perhaps be masqued, for the etiquette of the thing, while passing the castles. But nobody would dream of soliciting a firman from the Porte to enable Mr. Ellis, or any other British subject or officer, to consult his convenience, or indulge a laubable curiosity by taking that route which a man of taste would prefer to any other. We are upon friendly terms with Turkey and Russia, and to imagine that any impediments would be thrown in Mr. Ellis's way by either of these powers, would be an absurdity. We do not know what the Erench Government have done in the matter; but we have every reason to believe that the story as respects the request on their part, and the refusal on the part of the Porte, is also an entire fabrication.

It was only a few days ago that we announced Lord Durham's intention to proceed also to eh tBlack Sea, in the first instance, for the benefit of his health, instead of taking the usual route to St. Petersburgh, where the Emperor will probably not have arrived until the end of September or the middle of October. We were at the same time enabled to state that every possible facility for the accomplishment of his object has been placed at his Lordship's disposal by the personal kindness of the Czar towards the Noble Lord. Our contemporaries may therefore rest assured that the sources from which they have derived their information are altogether apocryphal.

When our Mediterranean fleet was last heard of, we believe it was assembled in the Pureus.

LIEUTENANT-COLONEL YORKE.—Lieutenant Colonel Yorke, who was Military Secretary to the Earl of Mulgrave, while that Nobleman was Governor of Jamaica, is appointed Private Secretary to the new Lord Lieutenant of Ireland.—*Examiner*.

SIR JOHN THOMAS CLARIDGE.

(*From the Times, July* 13.)

We have perused a printed copy of a petition which was forwarded to Lord J. Russell for presentation to the King, by Sir John Thomas Claridge, late Recorder of Prince of Wales' Island, Singapore, and Malacca, on the 4th of last May.

After noticing the appointment of that gentleman to office, the instructions given to him by the President of the Board of Control, the difficulties experienced by him in the formation of a Court establishment, and in the arrangement of quarterly circuits to Malacca and Singapore, on account of the opposition of the local Government, the petition states at length two and six subsequent charges preferred against him by the Directors of the East India Company to the King in Council. It then states the Order in Council made upon the hearing of those charges: it is as follows:—

"December 15, 1831.

"The Lords of the Committee to whom the petition of the Court of Directors of the East India Company, complaining of the conduct of Sir John Thomas Claridge, Recorder of Prince of Wales' Island, and praying his removal from office, was referred by your Majesty, having since his return to England resumed the consideration thereof, and having also duly considered the representation made by Sir J. T. Claridge himself, and heard counsel in support of the allegations contained in the respective petitions, have agreed to report to your Majesty their humble opinion—that, although Sir J. T. Claridge cannot be justified in the measures to which he had resource, either for the purpose of enforcing the allowance by the Governor of those charges and expenses which the said Sir J. T. Claridge thought necessary for the establishment of his Court on a proper footing, or for enforcing, payment of the expenses of his circuit, which he, the said Sir J. T. Claridge, had reason to expect to have received, yet their Lordships are inclined to think the local Government not wholly justified in refusing to allow what the former Recorder and Sir J. T. Claridge thought a just and necessary measure of expenditure with respect to the courts of justice; and that a delay, much to be regretted, occurred on the part of the East India Company, either to authorize the payment of the circuit expenses, or to bring that question to an early decision. Their Lordships are of opinion, that this case may be attributed principally to such refusal and delay; and that, under these circumstances, the conduct of Sir J. T. Claridge proceeded from a mistaken view of the line of his duty, and not from any corrupt or improper motive. Whilst, therefore, irritation which has taken place between the local Government and the Recorder prevents the Lords of the Council from recommending to your Majesty to continue Sir J. T. Claridge in the exercise of that office, it appears to their Lordships that no imputation rests on the capacity or integrity of Sir J. T. Claridge in the exercise of his Judicial functions, so as to preclude your Majesty from employing him in your service in some other judicial situation. And their Lordships are further of opinion that the Right Hon. Viscount Goderich, one of your Majesty's principal Secretaries of State, should receive your Majesty's pleasure for signifying to Sir J. T. Claridge his removal from his seat as Recorder of Prince of Wales' Island.

"His Majesty, having taken the said report into consideration, was pleased, by and with the advice of his Privy Council, to approve thereof, and to order, as it is hereby ordered, that Viscount Goderich, one of His Majesty's Principal Secretaries of State, do receive His Majesty's pleasure touching the removal of Sir John Thomas Claridge from his office of Recorder of Prince of Wales' Island.

"C. GREVILLE."

It then notices some very extraordinary and ambiguous conduct on the part of Lord Brougham, at that time the Lord Chancellor. It also notices the subsequent appointment, by Lord Glenelg, against the remonstrances of the East India Directors, of Sir John Peter Grant to the Calcutta Bench, and adverts to some curious circumstances relating to that appointment. We conclude that the matters therein referred to will undergo serious investigation elsewhere, for which reason it would be improper for us to offer any opinion on them. On account of its importance, however, we shall most probably recur to the subject at a proper opportunity.

THE IRISH CHURCH PROJECT.

(*From the Examiner, July* 5.)

We cannot regard the project for the Reform of the Irish Church as any thing better than a palliative, but at the same time we are bound in fairness to admit that present circumstances would not allow of a complete remedy.

The surrender of the million lent to the Clergy is to be considered as one of the ugly graces of necessity. Things have been brought into such a state that there was no breaking away without a sacrifice. The fund applicable to purposes of education, which will accrue from the suspension of presentation to benefices where there are not more than fifty Protestants, and the reduction of livings to 300*l.* a year, is calculated at about 50,000l. a-year, but against the gain of this sum is to be set of the abandonment of the million. The nation gives a million with the one hand, and receives five per cent in savings with the other. When the

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

million was lent we expressed our conviction that the Benefit of Clergy would be successfully pleaded against the debt, and that it was only given with the worst grace as a loan. If there was any chance of recovery it was put off by the Torries' rejection of the Bill of the last Session. The business of the Ministry, however, is with present circumstances, and on consideration, we do not seeh ow they could have taken any other course than they have done; as to the million, in this stage of things; and further, if England will saddle Catholic Ireland with her Protestant Establishment, it is perhaps well that she should smart for it in her purse occasionally.

The most faulty part of the proposed measure is that which relates to religious ministration in parishes having one or no Protestant. We cannot but think that the principle of an establishment has, in these instances, been carried *ad absurdum*, and in contravention of the resolution of the House on the 7th of April.

"That any surplus revenue of the present Church Establishment in Ireland, not required for the moral and religious education of all classes of the people."

Bearing in mind this principle, that any surplus not required for the spiritual care of the members of the Church should be applied to the education of the people, let the sketch of the intended measure be read which we now quote from the *Morning Chronicle*:—

"His Majesty's Ministers being desirous of preserving the principle of the union between Church and state, have deemed it right that *although there be not a single Protestant dwelling in a parish*, there shall nevertheless, be a Protestant clergyman, having an ecclesiastical authority within such a parish—a Protestant pastor, representing, as it were the religion of the State, and establishing by his spiritual superintendence the universality of the Protestant Church in Ireland. In acknowledgment of that authority, he is to be paid annually 5*l*., but not as a remuneration for his services—*services indeed, there are none to perform*. Should, however, a solitary Roman Catholic in that parish become a convert to Protestantism, the payment of the five pounds ceases, and either a separate curate will at once be appointed, or the minister of some adjoining parish will be paid, in addition to his other emoluments, a stipend from ten to fifty pounds a year, according to the discretion of the Ecclesiastical Commissioners, for attending the spiritual wants of that individual member of the Protestant communion. But the whole question of the amount of remuneration to the curates is one of detail, and may undergo further consideration when the bill is in committee. Nay more, the plan proposed by the Government takes care that *for the convenience of that single Protestant some suitable place of divine worship shall be provided within his own parish*."

A place of worship to fit a single Protestant would, we conceive, be a chapel about the size of a sentry box. Certain it is, that for good Protestant ministration one should go to Catholic Ireland under this Bill, for there are many parts of England and Wales in which there is no very ready accesss to religious instruction, but a settler in a Catholic district will have his own chaplain to attend him, and his own church—altogether that sort of exclusive thing so agreeable to the tastes of our conntrymen. But let us suppose the case of a circle of parishes without Protestants, how then is the plan of ministration to work in favor of a single church man in the centre? It seems always supposed in the plan that a parish without a Protestant will be adjacent to one with employment for a clergyman.

The *Chronicle* observe, that the pastor, without a single Protestant follower, is to be paid as an ecclesiastical authority or representative of the religion of the State, establishing, by "his spiritual superintendence," the universality of the church in Ireland—but following out this principle, if there were not a Protestant layman in Ireland, the clergy would be yet maintained as representing the absent religion. But let the matter be involved as it may, the Protestant clergyman, in such case as our contemporary has put, is but the sign of the sinecure. He is paid where there is nothing for him to do. What is there subject to his "spiritual superintendence"—upon whom is his ecclesiastical authority to be exercised,—of what is he representative in the eyes of the Catholics around him, but the galling yoke of Ireland? Religion is not aptly represented like a distant Sovereign, by ambassador.

Lord Morepeth, in his exposition (the style and ability of which merit great praise), admitted, in effect, that the stipend to a clergyman without a communicant, was a breach of the principle of the resolution on which the measure was grounded—

"Now in this parish, in which, as I have already said, there is neither church nor churchmen the cure of souls—which, I believe, is a correct though it seem rather a contradictory expression—the cure of souls is to be committed to the care of the neighbouring minister, appointed by the bishop at a stipend of an additional 5*l*., per annum; in which case, I think, we indulgently depart from the proper rule, that where there is no duty there shall be no pay."

His Lordship, however, justified such an arrangment as an accommodation to travellers, who will be entitled to send for the parson; but we shall be curious to know to what extent, and in what manner, he is to be bound to answer such calls.

The number of parishes without a single Protestant is no less than 15*l*.

We apprehend that too many power of the proposed measure for the abatement of abuses will be discretionary, and that little reliance can be placed on the authorities to whom they will be entrusted, The Lord Lieutenant and Ecclesiastical Commissioners cannot generally be supposed to have any very strong vocation to Church Reform, The *Chronicle* observes for instance.—

"With respect to the threatened equalization of livings, we apprehend that the Bill will contain no *compulsory* enactment whatever on the subject, but *witl merely give a discretionary power to the Lord Lieutenant* to order a reduction of the amount, *if he shall be advised by the Ecclesiastical Commissioners* that the income of the parish a is disproportionate to the ecclesiastical duties of the incombent"

A Tory Ministry would so hack the Eeclesiastical Commission, as to secure the abuses of the Church.

The reduction of the Staff of the Church is not proposed. Indeed, upon the same principle upon which Clergymen are paid for a spiritual superintendence where there is not a soul to superintend—which is the act of seeing that they have nothing to do—upon the same principle, certainly. Bishops may be paid for superintending the vacant superintendents, or watching the conduct of those who have nothing to do—a class of persons who always require must looking to, inasmuch as idleness is the mother of mischief. The cure of tithes was an employment, but that occupation is happily taken away by the Bill.

There are other objections to the project, which we are unwilling to state till we see the precise terms of the Bill, as we are not without hopes that the provisions may prove better than they have been represented.

BIRTHS, MARRIAGES, AND DEATHS.

(*From the United Service Gazette, July* 11.)

BIRTHS.—At Trazes terrace, Newcastle upon Tyne, June 23, the lady of Mr. Wm. Gowdy, Master. R. N.—In Thayer-street, Manchester-square, the lady of Capt. Carpenter, 41st regiment, of a son and heir.—At Woolwich, the lady of Capt. Frederick Whinyates, Royal Engineers, of a son.—At her father's residence, in Upper Seymour-street, on the 7th of July, the lady of Lieutenant Munro, Royal Horse Guards (Blue), of a Daughter.—At Bafford-house. Charlton Kings, in the county of Gloucester, the lady of Brigadier General David Leighton, C. B. of a son.—At Mallardstown, county of Kilkenny the lady of Capt. Helsham, of a son.—At Cadgwith, the lady of Lieutenant Brewer, R. N. of a son.—At Cromer, Norfolk, the lady of Commander McHardy, R. N. of a son,—At Cheltenham, the lady of Brigadier General D. Leighton, of a son.—At Corfu, the lady of Capt. Sandham, Royal Engineers, of a daughter.

June 6, in Gloucester Place, Portman Square, the Lady Frances Calder, of a daughter; 5th, at Montpelier Hill, Dublin, Mrs. W. F. Foster, of a son; 11th, in Princes Street, Upper Stamford Street, Mrs. J. Tylston Wicksteed, of a son; 4th, at Wellington Crescent, Ramsgate, the lady of Lieutenant Colonel Gummer, Madras Army, of a daughter; at Chideock, Dorsetshire, the wife of the Rev. Richard A' Court Beadon, of a still-born girl; 9th, at Anglesey, Hants, the lady of the Rev. T. V. Fosbery, of a son; 2d, the lady of Alexander Crombe, Esq., of Thornton Castle, Kincardineshire, of a daughter.

MARRIAGES.—At Great Finborough, Vice-Admiral Sir W. Hotham, to Jane, widow of R. Pettiward, Esq., late of Great Finborough. Suffolk—At All Souls, Langham-place, the Rev. J. D. Pettton, son of Rear Admiral Preston, to Hannah, daughter of the late Sir John St. Leger Gilham. Bart of Curraheen, Cork—At St. James's, Sir Harry Verney, Bart. M. P. for Buckingham, to Eliza, daughter of the late Admiral Sir G. Hope.—At Morltake, June 6 James George Davey, surgeon, to Maria Louisa Fitzoshorn Barwell, daughter and heiress of the late Capt. Barwell.—At Wickham, on Tuesday, P. Martin, Esq., of Easton Lodge, Wilts, to Augustus Julian, the eldest daughter of Capt. Sir Francis Collier, R. N. K. C. H—At St. Thomas's Church, Winchester, on Monday, the 6th inst. by the Rev. C. D. Isdell, Capt. W. Keats, R. N. to Augusta Maria, youngest daughter of Giles King Lyford, Fsq., of that city,—At St. George's Church Hanover, square, July 2. Lieutenant Colonel Glegg to Maria Georgiana Cotes, eldest daughter of Lady Maria Cotes.—At Woolwich, on the 6th inst., Lieut. Lowry W. M. Wynne, Royal Artillery, to Elizabeth Sophia, eldest daughter of the late Lieut. Colonel Payne, Royal Artillery—7th inst. Col. Alexander Caldvell, C. B., to Elizabeth, second daughter of the late Edward Wallwyn Shepherd, Esq., of Great Russell-street, Bloomsbury.—At Marylebone Church, on the 7th inst., by especial license, by the Rev.—Busfield, Ensign James Gunies Kempe, of the Hon. Spanish Auxiliary Force, son of Colonel John Arthur Kempe, of the Hon. East India Company's service, to Miss M. A. P. H. H. Otton, daughter of Mr. John Hancock, of the Royal Navy,—The Hon. Captain Charles Beaumont Phipps, Scots Fusilier Guards, to Miss Anna Bathurst, grand daughter of the Bishop of Norwich, and niece to Lord Castlestuart.—At St. Peter's Church, on the 7th inst., Captain A. O. Molesworth, R. A. brother to Viscount Molesworth, to Grace Jane, daughter of the late Morgan Crofton, Esq., Barrister-at-Law, of Harcourt street. Dublin.—At Charlottetown, Prince Edward Island, May 25, Capt. John Emslie, of the 83d Regiment, to Amelia Janette, fourth daughter of the late John Boyd, Esq., of the Medical Staff.—At Bere Regis, on the 1st inst., Charles James Radclyffe, Esq. (late 5th Dragoon Guards), Hewish House, Dorset, Lancashire, to Anna Maria, only daughter of the late Robert Ekins Lillington, Esq., of Stockley, Dorset.—At St. Columb Major, on Thursday, July 2, James Byrn Richards, Esq. of his Majesty's Surveying Department New South Wales, to Jane, youngest daughter of the late Robert Mules, Esq., of Bideford, Devon—At Richmond, Assistant Deputy Commissary, General Wm. Wybult, to Fanny Arabella, daughter of John Kennedy, Esq.

June 1st, at St. Paul's Chapel, Edinburgh, Sir James Stuart, Bart., of Allanbank, to Katherine, second daughter of Alexander Monro: Esq., M. D., of Craiglockhart, Professor of Anatomy in the University of Edinburgh; 4th, at St. George's, Hanover Square, J. David Watts Russell, Esq., to Mary Neville, youngest daughter of John Smith Wright, Esq., of Rempstone Hall. Nottinghamshire; 8th, for the second time, at Artharet, near Longtown, Cumberland, Richard Brinsley Sheridan, to Marcia Maria Grant, daughter of Lieut.-General Sir Colquhoun Grant; 6th, at Marylebone Church, the Rev. F. W. Hope, of Upper Seymour Street, to Ellen, youngest daughter of the late George Meredith, Esq. of Nottingham Place; 10th, the Rev. Edward Pope, Archdeacon of Jamaica, to Augusta, second daughter of Thomas Bigge, of Beddington, Surry.

DEATHS.—Tuesday, the 30th ult., Matthew King Esq., many years Navy Agent, of Essex street, Strand, brother of the late Capt. Andrew King.—On Wednesday, Sarah, the beloved wife of Lieut. Samuel Spencer, R. N. late resident Agent for Transports.—At Newtown, near Leixlip, Capt. Patrick J. Burke, late of the 7th Fusiliers.—At Whitestrand in the county of Kerry, at an advanced age. Lieut. Thomas Conway, late Adjutant of the Irish Brigade, h. p.—At his residence, Duke-square, Parsonstown, Lieutenant Colonel Moffat, late of his Majesty's 33d regiment. On board the Æton, Coast of Africa, Mr. J. Chalmers, Assistant Surgeon.—On her passage from Calcutta, Charlotte Maria, wife of Captain W. F. Vernon, of the 38th regiment.—At Bath, Elizabeth, wife of Colonel Courtenay, and daughter of the late Sir R. Cunliffe.—In Liverpool, Isabella, eldest daughter of Capt. Hugh Mackay, 92nd Highlanders.—Lately, at his residence, near Carlow, Robert Butler, Esq., late of the 47th regiment, universally regretted by a numerous circle.—At Malshanger-house, near Basingstoke, on the 21 inst., aged 73. Col-Pennington. many years Commander of the East India Company's Horse Artillery in India.—Last week, in Ireland, W. Falls, Esq. Surgeon, R. N.—At Peckham Phoebe, daughter of the late Rear-Admiral S. W. Clayton.—At Looseleigh, near Tamerton, on Monday, Mrs. Pym, wife of Captain S. Pym. R. N. C. B., and only daughter of Edmund Lockyer, Esq.—At Morice Town, Mr. Joseph Briggs sen., superannuated warrant officer.—At Fowey, on Sunday last, Mary, third daughter of Capt. Hearl, R. N., aged 19—At Jamaica; on the 1st of May, of fever Mr. Dudley Smith Domville, Midshipman of his Majesty's ship Vestal, aged 20 years, son of Dr. Domville, of the Royal Hospital, Greenwich.—In Paris, June 30, of two days' illness, Peter Darcey, eldest son of paymaster Stephen Blake of the 7th Royal Fusiliers, aged 11 years.—At Richmond-hill near Carlisle, on Wednesday last, suddenly, Elizabeth, wife of Capt. Sproule R. N., in the 59th year, of her age. At Brixham, on the 27th ultimo, in his 60th year. Capt. France, R. N.—In Aungier-street, Dublin, Francis King, Esq., aged 71 years. formerly a Captain in the Swiss Guards of Louis XVI. He obtained a commission in the 71st regiment, in which he served under his Royal Highness the Duke of York; he left the 71st and became senior Lieutenant in the King's County Militia.—At Kinsale, of fever, John Crosbie Bennett, late 27th regiment.—At Cheltenham, William, eldest son of the late Capt. W. G. Stephen, of the Bengal Engineers.—In Montreal, Wm. M'Culloch, Esq., Adjutant late 101st regiment.—At Forres, on the 22d of June, Helen, only daughter of the late Alex. Dunbar, Esq., of Booth, and sister of Sir James Dunbar, of Booth, Bart., Captain R. N.

June 2d, in Addison Road, the Hon. George Barrington, Captain in the Royal Navy, in his 40th year, second son of the late and brother to the present Viscount Barrington; 4th, at the Royal Arsenal, Woolwich, Colonel Charles Cox Bingham, of the Royal Artillery, in his 62d year; 4th, at Clapham, in her 17th year, Amelia Sophia, third daughter of John Thornton, Esq.; 8th, at John Crawford's, Esq., Wilton Crescent, Helen, second daughter of the late James Perry, Esq.; 8th, at his house, Green Street, Grosvenor Square, George Watson Smyth, Esq.; in his 87th year; 9th at his house, Cornwall Terrace, Regent's Park,. David Carruthers, Esq., M. P. for Hull, after a short but severe illness; On the 5th, in Beaumont Street, Portland Place, Mrs. Elizabeth Grosvenor; On the 5th, at his seat, Acton Regnold Hall, Shropshire, Sir Andrew Corbet, Bart., in his 69th year. He is succeeded in his title and estates by his eldest son, Andrew Vincent Corbet, the present Baronet; On the 5th May, at Torquay, in his 32d year, after a lingering illness, the Rev. M. G. Butcher, A. B. Minister of Trinity Church, Newington Butts, and son of R. Butcher, Esq.; of the Grange, Bungay, Suffolk; On the 7th June, at Tunbridge Wells, in his 56th year, Major General Francis Hepburn, late of the 3d Regiment of Foot Guards; On the 7th, Georgiana Haydon, third daughter of Mr. Haydon, Historical Painter, Connaught Terrace; after eighteen hours of convulsion from dentition and inflamed brain.—*Spectator, June* 13.

Deal, July 3*d*.—Arrived the *Neptune*, Broadhurst from Bengal: 8th, the *Daphne*, Todd, from the Mauritius; arrived from the river and remains the *Prince George*, Shaw, from Madras; 11th. arrived from the river last night, and sailed early this morning, the *Cornwall*, Bell, for Calcutta.

Liverpool, June 27th.—Sailed, the *Zoe*, Holmes, for Mauritius.

Gravesend, June 20*th*. Sailed, the *Morley*, Douglas, for Bombay; and *Fairy Queen* Douthwaite, for Ceylon; 29th, the *Gilmore* Lindsay, for Bombay.

Portsmouth, July 12*th*—Arrived H. M. S. *Curaçoa*, from Calcutta: and H, M. S. *Imogene*, from Bombay; sailed, the *Earl Grey*, Talbert, for Calcutta; and *Carnatic*, Brodie, for Bombay.

Our Departures have been—the Earl Grey and Herefordshire, for Calcutta; the Duke of Buccleugh, for Madras and Calcutta; the General Palmer, for China; the Gilmore and Carnatic, for Bombay; and the William Thompson, for Cape of Good Hope and Mauritius. The Bombay, the Minerva, and the Marquis Camden, for China, are on their passage down the Channel.—From Liverpool, the Lawrence, for Calcutta; the Albion, for Bombay.

ANOTHER VAMPIRE!

We have always held forth to the execration of the world, in a fearless and unflinching manner, any scoundrel who may have imagined that either his rank, fashion, or wealth gave him a privilege of indulging in vicious and disgusting propensities with impunity. We haye never ceased, and neyer will cease, to mark t career of any such miscreants until the utmost severity of justice has been executed. Our readers will remember the name of a monster, who nothing deterred by the exposures made, still pursues his vile practices, and prowls like the fiend, "seeking those whom he may devour," among the unsuspecting and virtuous. This monster, whose name it sickens us to mention, Sir Robert Gill, is still allowed to disgrace the halls of royalty, and to disgust with his presence the most exalted and lovely when they visit the court of the Sovereign. But what will our readers think when we tell them that the wretch who during the last week, owing to the manliness of Mr. Dawes, has been checked and exposed in all his infamy, is no other than a friend and a junior officer of this Sir Robert Gill! *The names of Lieutenant Sir Robert Gill and of Ensign Burton, of the Yeoman of the Guard, stand together in the Red Book!!* Aye, the miscreant who laid his horrible plans to decoy and to destroy innocence, who advertised for victims whom he might select for the gloating beastliness of his passions, is Ensign Burton of the Yeomen of the Guard. Gracious Heaven! is it possible that the King, the head of our religion, the guardian of our laws, and the chief magistrate to enforce morality and to punish guilt, can allow such vampires to cross his threshold? We cannot believe that he has heard of their atrocities, else he would have long ago cast off such loathsomeness from his palace. At once, therefore, we invoke his Majesty, in the name of those parents and daughters who have been saved from sorrow and shame by the manly and determined conduct of Mr. Dawes—and we may add also, in the name of many degraded and heart-broken creatures who have been the prey to the fiendish appetite of these united vampires—to discharge them from his service with every mark of ignominy with which they can be stigmatised; and, if possible, to place a brand upon them, that they after may be known and shunned by all who feel the value of parental affection, and the comfort of filial virtue.—*Satirist, June* 28.

MISCELLANEA.

UNIFORM AND ACCOUTREMENTS OF THE SPANISH-BRITISH LEGION.—We have been favoured by Mr. Moore, the Military dress and accoutrement maker, of Old Bond-street, who provides the uniform and appointments of the officers of the British Legion about to enter into the service of the Queen of Spain, with a description of them. They are as follows:—Dress—Scarlet coatee, trimmed with gold, yellow facings, with white turnback, gold lace on cuffs and collar, gold epaulettes; Spanish arms on the buttons; Oxford mixed trousers, with scarlet cord; patent leather waist-belt; steel-scabbard sword with Spanish arms on hilt; beaver chaco, with scarlet feather, Spanish arms in front; crimson sash; shoulder belt, with breast plate, on which are the Spanish arms. Undress—Blue frock coat, with gilt scales; Oxford mixed trousers; oil-skin chaco; crimson silk sash. The cost of the whole of this fit out is 32*l*. Mr. Moore is also engaged on twelve standards of the Royal arms of Spain, not so large as those in the British service, but about twice the size of the Napoleon standard. They are of very elegant workmanship. The equipments for the first battalion will be delivered to-morrow.

INDIA RUBBER BOAT.—We have had the pleasure of examining this ingenious production soon after its return from a most fortunate *trouting* expedition to Martha's Vineyard. The boat was invented by Mr. Caleb Williams, jun., of this city, and was manufactured at the India Rubber Factory on Eddy's Point. It is constructed very much upon the plan of Burden's steamboat, with two inflated cylinders of India rubber cloth, connected upon the top by five or six beams of light portable plank, which supports a deck of boards, which may be procured at almost any place where the boat is to be used. The whole apparatus weighs about twenty pounds. The cylinders may both be inflated in from five to ten minutes, and when the air is discharged, may be folded into a valice. The rest of the apparatus may be conveniently carried in the bottom of a waggon or chaise. In addition to the whole is a seat upon which, the angler may sit and hold his dominion over the finny race. This boat will sustain at least one ton's weight, and of course, by enlarging the deck, would accommodate quite a party. The elasticity of the cylinders has been proved to be a protection against their being punctured by snags and rocks. We understand the ingenious contriver has applied for a patent for his invention.—*American Paper.*—*Courier, June* 26.

MARRIED.—At St. George's Bloomsbury, A. Mellow, Esq. to Miss Ann Andrews.

Would *merry Andrews*, from ambition
Reject a *mellow* proposition?
Nay, rather take the charming fellow,
And *ripe*, like him, like him be *Mellow*.—*Age.*

MARRIAGE IN HIGH LIFE.—On Saturday, at All Souls' Church, Marylebone, the Right Hon. Lord George Paulet, Captain in the Royal Navy, third son of the Marquis of Winchester, to Georgina, daughter of Lady Wood and the late General Sir George Wood, K.C.B., of Ottershaw Park, in the county of Surrey.

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